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UNITED STATES DEPARTMENT OF JUSTICE

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TRACY HOPE DAVIS

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re

THE ROMAN CATHOLIC ARCHBISHOP
OF SAN FRANCISCO,

Debtor.

Case No: 23-30564 DM

Chapter 11

**UNITED STATES TRUSTEE’S SUPPLEMENTAL BRIEF IN SUPPORT OF UNITED
STATES TRUSTEE’S MOTION FOR ORDER APPOINTING FEE EXAMINER**

Tracy Hope Davis, United States Trustee for Region 17 (the “United States Trustee”), by and through her undersigned counsel, hereby files this *Supplemental Brief in Support of United States Trustee’s Motion for Order Appointing Fee Examiner* (the “Motion”). See ECF No. 389.

1. By docket text order on January 17, 2024, the Court indicated that it would grant the Motion and appoint a specific fee examiner after the United States Trustee provided

1 additional information about efforts to locate candidates with experience in the Ninth Circuit and
2 this District. *See* ECF Docket between ECF Nos. 425 *and* 427.

3 2. After the United States Trustee filed a response providing the information
4 requested by the Court, the Court entered a docket text order on February 7, 2024 requesting that
5 the United States Trustee identify additional qualified, experienced candidates for appointment
6 as the fee examiner in this case. *See* ECF No. 444 *and* ECF Docket between ECF Nos. 451 and
7 452.
8

9 3. The United States Trustee thereafter continued conferring with general
10 bankruptcy counsel for the Debtor and the Official Committee of Unsecured Creditors regarding
11 potential candidates and identified several additional candidates with fee examiner experience
12 and Ninth Circuit experience.
13

14 4. Of the additional candidates, only two indicated both interest in and availability
15 for the potential fee examiner appointment: Nancy B. Rapoport, professor of law at the UNLV
16 William S. Boyd School of Law (“Professor Rapoport”), and Robert J. Keach (“Mr. Keach”) of
17 Bernstein, Shur, Sawyer & Nelson, P.A. The declarations and curricula vitae of Professor
18 Rapoport and Mr. Keach are attached hereto as Exhibit A and Exhibit B, respectively.¹ The
19 proposed forms of order for their appointments are attached hereto as Exhibit C and Exhibit D.
20

21 5. The supporting declarations of the two additional candidates set forth the
22 following proposed compensation structures:
23

- 24 a. Professor Rapoport: Flat monthly fee of \$10,000 for fee review services
25 plus \$750 per month for UNLV Law School (to compensate for any
26 inadvertent use of state resources). For testimony or preparation of
27 testimony, Professor Rapoport would charge her hourly rate of
28 \$1,100. She would also charge her hourly rate for hearings conducted in

1 person (the flat monthly fee would apply to remote hearings). Professor
2 Rapoport would not bill for non-working travel, but she would bill for
3 actively working on the case while traveling. Legal Decoder would
4 receive a start-up fee of \$8,750 plus a monthly fee of \$5,500 plus \$750 per
5 hour for testimony and in-person meetings.

- 6 b. Mr. Keach: Discounted hourly rate of \$750 subject to annual increases on
7 at least ten days advance notice. Those assisting with the engagement
8 from his law firm have current hourly rates ranging from \$230 to \$370.
9 Mr. Keach will not bill for non-working travel and will not seek
10 reimbursement for travel expenses.

11 6. The United States Trustee respectfully requests that the Court enter an order
12 appointing one of the four recommended candidates (Lori Lapin Jones, Elise S. Frejka, Professor
13 Rapoport, or Mr. Keach) or another qualified individual, as fee examiner in this case subject to
14 the terms proposed and for such other relief as the Court deems appropriate.

15 Date: February 21, 2024

16 Respectfully Submitted,

17 TRACY HOPE DAVIS
18 UNITED STATES TRUSTEE

19 By: /s/ Jared A. Day
20 Jared A. Day
21 Trial Attorney for the United States Trustee
22
23
24

25 ⁱ Professor Rapoport's experience as a fee examiner in the Ninth Circuit is set forth in paragraph 9 of her
26 declaration (Exhibit A hereto, at pp. 9-10 of 119). Mr. Keach's connections to the Ninth Circuit are set
27 forth in his CV (Exhibit B hereto, at pp. 76-77 of 119).

EXHIBIT A

1 Nancy B. Rapoport
5841 Magini Avenue
2 Las Vegas, NV 89141
Telephone: (713) 202-1881
3 nancy.rapoport@unlv.edu
4

5
6 UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
7 SAN FRANCISCO DIVISION
8

9
10 In re:) Case No. 23-30564
11)
12 THE ROMAN CATHOLIC ARCHBISHOP) Chapter 11
OF SAN FRANCISCO,)
13 Debtor and Debtor in Possession.) DECLARATION OF
14) DISINTERESTEDNESS
OF NANCY B. RAPOPORT
15)

16 I, Nancy B. Rapoport, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the
17 following is true to the best of my knowledge, information, and belief:

- 18 1. I am a University of Nevada, Las Vegas (UNLV) Distinguished Professor, the Garman
19 Turner Gordon Professor of Law at UNLV's William S. Boyd School of Law, and an
20 Affiliate Professor of Business Law and Ethics at UNLV's Lee Business School. My work
21 address is University of Nevada, Las Vegas, Mail Stop 1003, 4505 S. Maryland Parkway, Las
22 Vegas, NV 89154-1003.
23
24 2. I have been admitted and am in good standing in the following jurisdictions: United States
25 District Court, District of Nevada (2009); Nevada Supreme Court (2008); United States
26 District Court, Northern District of Texas (2003); Texas Supreme Court (2001); United

27 DECLARATION OF NANCY B. RAPOPORT - 1

1 States Supreme Court (2000); Nebraska Supreme Court (1999; inactive status); Ohio
2 Supreme Court (1993; inactive status); United States District Court for the District of Hawaii
3 (1988); California Supreme Court (1987; inactive status); and United States Court of Appeals
4 for the Ninth Circuit (1987).

5 3. Unless otherwise stated in this Declaration, I have personal knowledge of the facts set forth
6 herein. I will supplement this declaration if additional information becomes available during
7 this case.
8

9 4. I make the following disclosures: (i) to establish that I am qualified to act as the Fee
10 Examiner in this case; and (ii) to establish that I am a “disinterested person” as that term is
11 defined in Section 101(14) of the Bankruptcy Code.

12 5. I understand the duties and responsibilities of a fee examiner, both generally and in this case.
13 If my appointment is approved, I will perform those duties and responsibilities to the best of
14 my abilities. UNLV will not be a party to this appointment; I will be performing this work
15 on my own time and not on behalf of UNLV.
16

17 6. I have been employed at UNLV and the Boyd School of Law since 2007. Prior to my work
18 there, I served as a Professor of Law at the University of Houston Law Center (2006-07), as
19 Dean and Professor of Law at the University of Houston Law Center (2000-06), as Dean
20 and Professor of Law at the University of Nebraska College of Law (1998-2000), as
21 Associate Professor¹ and Associate Dean for Student Affairs at The Ohio State University
22 College of Law (now the Moritz College of Law) (1996-98), as an Associate Professor of
23

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25
26 ¹ My promotion to Professor at The Ohio State University College of Law occurred as I was transitioning to the
27 University of Nebraska College of Law.

1 Law at Ohio State (1995-98), and as an Assistant Professor of Law at Ohio State (1991-95).
2 Before I entered academia, I was an associate attorney at Morrison & Foerster (1986-91)
3 and, before that, I served as a law clerk to the Hon. Joseph T. Sneed III, U.S. Court of
4 Appeals for the Ninth Circuit (1985-86). I received my undergraduate degree from Rice
5 University (B.A., *summa cum laude*, 1982) and my law degree from Stanford Law School (J.D.,
6 1985). In 2012-2013, I served as the Interim Dean of the William S. Boyd School of Law.
7 In 2014-2015, I served as the Senior Advisor to the President of UNLV. From July 2015-
8 May 2016, I served as the Acting Executive Vice President and Provost of UNLV, and
9 during July-August 2017, I served as the Acting Senior Vice President for Finance and
10 Business of UNLV. From May 2016 through June 2018, I served as the Special Counsel to
11 the President of UNLV. I am a Fellow of the American College of Bankruptcy (2005-
12 present) and of the American Bar Foundation (2002-present). I am also a member of the
13 American Law Institute (2001-present).

- 14
15 7. As a professor, my research areas all involve the intersection of ethics with various fields:
16 the behavior of bankruptcy lawyers, bankruptcy fees, the behavior of lawyers generally, the
17 ways that lawyers and legal ethics are portrayed in popular culture, the changes in the legal
18 profession, the dynamics of law firms, the relationship of social science to the behavior of
19 lawyers and other professionals, possible changes to legal education, and the ethics of
20 corporate governance. I have served as one of two Reporters for the American Bankruptcy
21 Institute's Task Force on National Ethics Rules, which suggested changes to certain ethics
22 rules relating to the practice of bankruptcy lawyers and related professionals. I have also
23 testified in several cases involving ethics issues, as set forth more fully in my CV
24 (Attachment 1).
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27 DECLARATION OF NANCY B. RAPOPORT - 3

1 8. I have reviewed fees, primarily in Chapter 11 bankruptcy cases, and have drawn on those
2 experiences for several of my law review articles on fees. Some of those articles include:

- 3 a. Nancy B. Rapoport & Joseph R. Tiano, Jr., *Expert Q&A on the Ethical Considerations of*
4 *AI and the Reasonableness of Bankruptcy Fees, Now That Generative AI Is Here to Stay*,
5 THOMSON REUTERS PRACTICAL LAW (Nov. 10, 2023),
6 <http://content.next.westlaw.com/w-041-2232> or
7 [https://www.reuters.com/practical-law-the-journal/transactional/ai-bankruptcy-](https://www.reuters.com/practical-law-the-journal/transactional/ai-bankruptcy-practice-2024-02-01/)
8 [practice-2024-02-01/](https://www.reuters.com/practical-law-the-journal/transactional/ai-bankruptcy-practice-2024-02-01/).
9
- 10 b. Nancy B. Rapoport & Joseph R. Tiano, Jr., *Reimagining "Reasonableness" Under Section*
11 *330(a) in a World of Technology, Data, and Artificial Intelligence*, 97 AM. BANKR. L.J. 254
12 (2023), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4515196.
13
- 14 c. Nancy B. Rapoport & Joseph R. Tiano, Jr., *Billing Judgment*, 96 AM. BANKR. L.J. 311
15 (2022) (peer-reviewed), available at
16 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4172409.
17
- 18 d. Nancy B. Rapoport, *Want to Take Control of Professional Fees in Large Chapter 11*
19 *Bankruptcy Cases? Talking With Your Client's General Counsel is a Good First Step*, Harvard
20 Law School Bankruptcy Roundtable, July 28, 2020, available at
21 [http://blogs.harvard.edu/bankruptcyroundtable/2020/07/28/want-to-take-control-](http://blogs.harvard.edu/bankruptcyroundtable/2020/07/28/want-to-take-control-of-professional-fees-in-large-chapter-11-bankruptcy-cases-talking-with-your-clients-general-counsel-is-a-good-first-step/)
22 [of-professional-fees-in-large-chapter-11-bankruptcy-cases-talking-with-your-clients-](http://blogs.harvard.edu/bankruptcyroundtable/2020/07/28/want-to-take-control-of-professional-fees-in-large-chapter-11-bankruptcy-cases-talking-with-your-clients-general-counsel-is-a-good-first-step/)
23 [general-counsel-is-a-good-first-step/](http://blogs.harvard.edu/bankruptcyroundtable/2020/07/28/want-to-take-control-of-professional-fees-in-large-chapter-11-bankruptcy-cases-talking-with-your-clients-general-counsel-is-a-good-first-step/).
24
- 25 e. Nancy B. Rapoport, *Using General Counsel to Set the Tone for Work in Large Chapter 11*
26 *Cases*, 88 FORDHAM L. REV. 1727 (2020), available at
27 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3591118.

DECLARATION OF NANCY B. RAPOPORT - 4

- 1 f. Nancy B. Rapoport, *Client-Focused Management of Expectations for Legal Fees in Large*
2 *Chapter 11 Cases*, 28 AM. BANKR. INST. L. REV. 39 (2020), available at
3 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3541347.
4
5 g. Nancy B. Rapoport & Joseph R. Tiano, Jr., *Legal Analytics, Social Science, and Legal Fees:*
6 *Reimagining "Legal Spend" Decisions in an Evolving Industry*, 35 GA. ST. U. L. REV. 1269
7 (2019), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3418465.
8
9 h. Randy D. Gordon & Nancy B. Rapoport, *Virtuous Billing*, 15 NEV. L.J. 698 (2015),
10 available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2670628.
11
12 i. Nancy B. Rapoport, "Nudging" Better Lawyer Behavior: Using Default Rules and Incentives to
13 *Change Behavior in Law Firms*, 4 ST. MARY'S J. L. ETHICS & MALP. 42 (2014), available
14 at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2460078.
15
16 j. Lois R. Lupica & Nancy B. Rapoport, *Best Practices for Working with Fee Examiners*, 32
17 AM. BANKR. INST. J. 20 (June 2013), available at
18 http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2279642.
19
20 k. Nancy B. Rapoport, *The Case for Value Billing in Chapter 11*, 7 J. BUS. L. & TECH. LAW
21 117 (2012), available at
22 http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2039506.
23
24 l. Nancy B. Rapoport, *Rethinking Fees in Chapter 11 Bankruptcy Cases*, 5 J. BUS. & TECH.
25 LAW 263 (2010) (solicited manuscript for University of Maryland School of Law's
26 symposium on *Examining Government Reform in the Financial Crisis*), available at
27 http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1625102.

9. I have served as a fee examiner in the following capacities:

DECLARATION OF NANCY B. RAPOPORT - 5

- a. Fee examiner in *In re* Zetta Jet USA, Inc. (2:17-bk-21386-SK) and *In re* Zetta Jet PTE, Ltd., Case No. 2:17-bk-21387-SK, United States Bankruptcy Court for the Central District of California—Los Angeles Division (2020-present).
- b. Fee examiner in *In re* Toys “R” Us Property Company I, LLC, United States Bankruptcy Court for the Eastern District of Virginia, Case No. 18-31429 (KLP) (2018-2019).
- c. Fee examiner in *In re* Toys “R” Us, Inc., United States Bankruptcy Court for the Eastern District of Virginia, Case No. 17-34665 (KLP) (2018-2019).
- d. Independent member of the Fee Committee, *In re* Caesars Entertainment Operating Co., Inc., U.S. Bankruptcy Court, Northern District of Illinois, Case No. 15-01145 (ABG) (2015-2018);
- e. Fee examiner in *In re* Station Casinos, Inc., U.S. Bankruptcy Court, District of Nevada, Case Nos. BK-09-52477 through BK-11-51219 (2011);
- f. The court’s fee expert and chair of the Fee Review Committee in *In re* Pilgrim’s Pride Corp., U.S. Bankruptcy Court, Northern District of Texas, Case No. 08-45664 (DML) (2009-2010); and
- g. The court’s fee expert and chair of the Fee Review Committee in *In re* Mirant Corporation, U.S. Bankruptcy Court, Northern District of Texas, Case No. 03-46590 (2003-2006; 2011-2012).

10. I have also served as an expert witness or as a consultant in several fee-related cases, including but not limited to:

DECLARATION OF NANCY B. RAPOPORT - 6

- a. Expert for McDermott Will & Emery LLP in *In re* Power Property Management, Cause No. DC-19-00695, 134th Judicial District Court, Dallas County, Texas (2023-present).
- b. Expert for Lowenstein Sandler LLP in *In re* Diocese of Camden, New Jersey, Case No. 20-21257, United States Bankruptcy Court, District of New Jersey (2022).
- c. Expert for the Fee Examiner in Matter of Lehman Brothers Holdings, Inc., U.S. Bankruptcy Court, Southern District of New York, Case No. 08-13555-jmp (2012).
- d. Expert for the Fee Examiner in *In re* Motors Liquidation Co. (f/k/a General Motors Corp.), U.S. Bankruptcy Court, Southern District of New York, Case No. 09-50026 (2011-2012).
- e. Expert for the Reorganized Debtor in *In re* ASARCO, LLC, et al., U.S. Bankruptcy Court, Southern District of Texas, Case No. 05-21207 (2010).
- f. Consultant for the Liquidating Trust for *In re* Residential Capital, LLC, United States Bankruptcy Court, Southern District of New York, Case No. 12-12020 (MG), regarding the reasonableness of fees (2014).

11. A true and correct copy of my expert CV is attached hereto as Attachment 1.

12. In checking for conflicts of interest and for connections, I have reviewed, among other things, the Limited Service List [Docket No. 445] and Schedule 1 to Declaration of Wayne P. Weitz in Support of Debtor's Application for an Order Authorizing the Employment and Retention of GlassRatner Advisory & Capital Group, LLC d/b/a B. Riley Advisory Services as Financial Advisor to the Debtor Effective as of August 21, 2023 [Docket No. 103].

13. I am not, and have not been during the pendency of these cases, a creditor, equity security holder, or insider of the Debtor.

DECLARATION OF NANCY B. RAPOPORT - 7

1 14. I am not, and have not been, a director, officer, or employee of the Debtor.

2 15. I am not, and have not been, an investment banker for any outstanding security of the
3 Debtor, or any attorney for any such investment banker in connection with the offer, sale, or
4 issuance of a security for the Debtor.

5 16. I am not related to any Bankruptcy Judge of the United States Bankruptcy Court for the
6 Northern District of California, the United States Trustee (Region 17), any person employed
7 by the United States Trustee (Region 17), or any other United States Trustee office.

8 17. I have not taken on any other assignment or project in connection with the Debtor's case
9 and do not possess an interest materially adverse to the interests of the Debtor or any class
10 of creditors or equity security holders of the Debtor, by reason of any direct or indirect
11 relationship to, connection with, or interest in, the Debtor, or for any other reason.

12 18. I have not represented or been adverse to the Debtor.

13 19. Except to the extent set forth below in paragraph 20, to the best of my knowledge, I am not
14 aware of any connections with the Debtor, creditors, any other party in interest, their
15 respective attorneys and accountants, the United States Trustee, any person employed in the
16 Office of the United States Trustee, or this Court.

17 20. The connections of which I am aware, after reasonable investigation based on the
18 information set forth in Paragraph 12, are:

- 19 a. Like Judge Montali, I am also a recipient of the Lawrence P. King Award from the
20 Commercial Law League of America.
21 b. I have previously served on the Executive Committee of the Board of Directors of
22 the American Bankruptcy Institute and am a current member of the ABI; as such, I
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27 DECLARATION OF NANCY B. RAPOPORT - 8

1 have had regular interactions with several of the professionals who have, or may
2 have, fee applications pending in this case.

3 c. I am a Fellow of the American College of Bankruptcy; as such, I have had regular
4 interactions with several of the professionals who have, or may have, fee applications
5 pending in this case.

6 d. I am a frequent speaker at continuing legal education programs and, as such, I have
7 had regular interactions with several of the judges in this district and with personnel
8 in the Office of the United States Trustee, as well as with several of the professionals
9 who have, or may have, fee applications pending in this case.

10 e. In my prior work as a fee examiner and fee expert, I have had regular interactions,
11 including (while a fee examiner) negotiations about possible fee reductions, with
12 several of the professionals who have, or may have, fee applications pending in this
13 case.

14 f. I have served as an expert witness, *pro bono*,² for the Office of the United States
15 Trustee, in the following cases: *In re* Mark Andrew Brown, Case No. 09-44254-jwv7
16 (Bankr. W.D. Maryland); *In re* Tracy L. Quarm, Case No. 09-20498 (Bankr. N.D.
17 Ohio); and *In re* John W. Young, Case No. 10-11404 (Bankr. N.D. Ohio) (all in
18 2010).
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26 ² Although I had made arrangements to serve *pro bono* in those cases, I was presented with a gift of
27 six pints of Graeter's ice cream after my work was completed.

- 1 g. My husband, Jeffrey D. Van Niel, is the permanent law clerk for the Hon. August B.
2 Landis, United States Bankruptcy Court for the Northern District of Nevada, and
3 Judge Landis formerly served as the Acting United States Trustee for Region 17.
4
5 h. I used to work at Morrison & Foerster with Chief Judge Stephen L. Johnson, and he
6 and I have remained friends.
7
8 i. Joseph R. Tiano, Jr., who is the founder and CEO of Legal Decoder, is my frequent
9 co-author on articles related to fees, the use of big data in analytics, and—most
recently—the use of artificial intelligence by lawyers.

10 21. The independent contractor with whom I plan to affiliate—Legal Decoder—has also
11 reviewed these materials set forth in paragraph 12. Mr. Tiano has told me that he and Legal
12 Decoder have no connections to disclose, other than the fact that Legal Decoder's data
13 analytics software tools were used to provide the initial data analysis for Professor Bruce
14 Markell in Professor Markell's role as the fee examiner in *In re* PG&E Corp. & Pacific Gas &
15 Electric Company, Case No. 19-30088(DM), United States Bankruptcy Court, Northern
16 District of California. Professor Markell and I have different styles as fee examiners, and it
17 is my understanding that Professor Markell and I leverage Legal Decoder's software and
18 capabilities in different ways. Mr. Tiano's Draft Declaration of Disinterestedness is set forth
19 as Attachment 2.

20
21 22. I would also ask the Court to approve the retention of counsel for me in order to assist with
22 the filing of all documents in the case and to appear on my behalf.

23 23. I will continue to disclose any additional information concerning entities having a
24 connection to the Debtors and will file appropriate supplemental disclosures with this Court,
25 if warranted.
26

27 DECLARATION OF NANCY B. RAPOPORT - 10

1 24. My process as a fee examiner is as follows: after I receive Legal Decoder's initial data
2 analysis, I review that analysis to focus on issues of reasonableness. Once I narrow down
3 the issues, I send a memo (treated as confidential) to the professional whose fees I am
4 reviewing, so that the professional can address any questions that I have about the
5 professional's fees or expenses. After I get the professional's explanations, one of three
6 actions will happen: I will accept an explanation; I will explain why that explanation is
7 inconsistent with my opinion as to the reasonableness of the fees or expenses at issue and
8 the professional and I agree on a suggested reduction; or, if the professional and I cannot
9 agree on a suggested reduction, I will file an objection to that professional's fee application.
10 It is also my practice, before I file any report with a court, to have the professional review its
11 section of my report, so that there are no misunderstandings or misstatements about my
12 work with that professional.
13

14 25. As required by Section 504 of the Bankruptcy Code, I affirm that I have not agreed to share
15 any compensation or reimbursement received in connection with this case with any other
16 person. The fees of Legal Decoder, and those of any additional independent contractors
17 who might be added later, would be treated as my expenses as part of my fee applications in
18 this case.
19

20 26. My traditional compensation for fee examiner work in past cases has consisted of (a) a flat
21 monthly fee of between \$12,500.00 and \$20,000.00 (not prorated for partial months),
22 exclusive of travel time, testimony, and preparation for testimony), (b) my regular hourly rate
23 for testimony and preparation for testimony, (c) travel time at one-half my standard hourly
24 rate, except when I am actively working on the matter for which I have been appointed
25 (during which I bill at my standard hourly rate), (d) my reasonable out-of-pocket expenses,
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27 DECLARATION OF NANCY B. RAPOPORT - 11

1 and (f) an additional \$500-\$1,000/month to be paid directly to “UNLV Foundation—Boyd
2 School of Law” for every month or partial month for which I was working on the matter, in
3 order to defray any inadvertent use of State of Nevada resources.

4 27. My compensation for fee review work of a case of this complexity would be a flat monthly
5 rate of \$10,000.00 (given the comparative size of this case to some of my other fee reviews),
6 and my current hourly rate is \$1,100/hour. That hourly rate would apply only to preparation
7 for testimony or for testimony; the rest of the compensation would be covered under the flat
8 monthly rate.
9

10 28. Most of my work will likely take place early in the morning, late at night, or on the
11 weekends. Because I am a professor at the William S. Boyd School of Law, I must also
12 ensure that I do not inadvertently use state resources as part of this engagement. Therefore,
13 I would ask that the estate pay an additional \$750.00/month directly to “UNLV
14 FOUNDATION—BOYD SCHOOL OF LAW” for each month of the engagement, or, in
15 the alternative, that my monthly rate be adjusted to \$10,750.00, and I would then pay the
16 UNLV Foundation the \$750.00/month directly from that flat fee. To the extent that I am
17 asked to testify or to prepare for testimony, I would bill that work at my hourly rate of
18 \$1,100.00 for both the testimony and any preparation time for the testimony. For any
19 hearings conducted remotely, the flat monthly fee would include that work; however, for any
20 hearings conducted in person, I would bill my time at my hourly rate, though, per the
21 Guidelines for Compensation and Expense Reimbursement of Professionals and Trustees
22 ([https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-](https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-reimbursement-professional-and-trustees)
23 [reimbursement-professional-and-trustees](https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-reimbursement-professional-and-trustees)), I would not bill my travel time but would only bill
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27 DECLARATION OF NANCY B. RAPOPORT - 12

1 the time that I am actively working on this case while traveling. I would pass through any
2 reasonable expenses at cost, including the expenses for the use of Legal Decoder's services.

3 29. I wish to affiliate the following additional independent contractor in this case with the
4 following proposed compensation: Legal Decoder, automated invoice review technology
5 and data analytics/fee benchmarking provider: a one-time, initial set up fee (which would
6 include a retrospective analysis of fees from inception to date) equal to \$8,750.00 and an
7 ongoing flat rate of \$5,500.00/month, plus \$750.00/hour for testimony and in-person
8 meetings and preparation for testimony and in-person meetings.
9

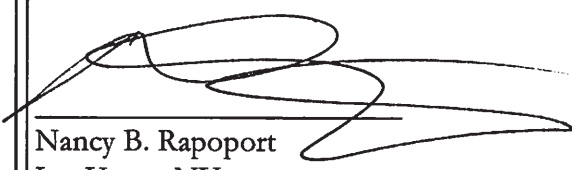
10 30. I understand that any request for payment from the Debtor's estate for compensation and
11 reimbursement of expenses incurred in the performance of my services as the fee examiner
12 would be subject to the approval of this Court and would be made in accordance with the
13 applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules for the
14 United States Bankruptcy Court for the Northern District of California, the Guidelines for
15 Compensation and Expense Reimbursement of Professionals and Trustees set forth at
16 [https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-](https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-reimbursement-professional-and-trustees)
17 [reimbursement-professional-and-trustees](https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-reimbursement-professional-and-trustees), any orders of this Court, and the applicable
18 guidelines of the Office of the United States Trustee.
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20 31. For all of the foregoing reasons, I believe that my appointment as the fee examiner in this
21 case is appropriate.
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27 DECLARATION OF NANCY B. RAPOPORT - 13

32. I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of February, 2024.



Nancy B. Rapoport
Las Vegas, NV

DECLARATION OF NANCY B. RAPOPORT - 14

ATTACHMENT 1 TO RAPOPORT DRAFT DECLARATION

NANCY B. RAPOPORT, J.D.

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EDUCATION

Stanford Law School, J.D. (1985)

Selected activities and honors:

- Note Editor, STANFORD LAW REVIEW (1984-85).
- Thesis: *Computer Program for Secured Transactions* (1985).
- Technical assistant in various law school and all-university plays (1983-85).
- First Place, Stanford Women's Intramural Powerlifting Competition (1985).

Rice University, B.A., *summa cum laude*, Legal Studies and Honors Psychology (1982)

Selected activities, honors, and scholarships:

- Senior Thesis: *The Effects of Time of Day on Cognitive Performance*, Psychology Department (1982).
- Phi Beta Kappa (1981).
- Houston Psychological Association Award for Excellence in Psychology (1982).
- Jones College Scholar (1981-82) and Academic Coordinator, Jones College (1980-82).
- President, Rice Hillel (1980-82).
- Student Advisor, Lovett College (1979-80).
- Member, Student Admissions Committee (1979-82).
- Founder, Rapoport Prize in Legal Studies (1982).
- Scholarships: Max Roy Scholarship (1979-80, 1981-82); Jones College Scholarship (1981-82); Board of Governors Scholarship (1980-81).

EMPLOYMENT

University of Nevada, Las Vegas

- **Special Counsel to the President (2016-18).**
- **Acting Senior Vice President for Finance and Business (summer of 2017).**
- **Acting Executive Vice President & Provost (2015-16).**
- **Senior Advisor to the UNLV President (2014-15) (member of UNLV's Cabinet).**
- **Provost's Leadership Development Academy Coordinator (2013-14); Co-Coordinator (2014-15).**
- **William S. Boyd School of Law, University of Nevada, Las Vegas**
 - **UNLV Distinguished Professor (awarded in 2022).**
 - **Garman Turner Gordon Professor of Law (2007-present) (formerly the Gordon Silver Professor of Law).**
 - **Interim Dean (2012-13).**

Courses: Basic Bankruptcy Law; Contracts; Professional Responsibility; Seminar on Corporate Scandals; Colloquium on Lawyers in Pop Culture; Business Law & Ethics; Bankruptcy Ethics.

- **Affiliate Professor of Business Law and Ethics, Lee Business School (renewable; 2014-present)**
 - **Co-Chair, Task Force on Scholarship, Lee Business School Strategic Planning Team (2014).**

Responsibilities and Accomplishments as Special Counsel to the President:

- The Executive Director of the Office of Compliance, the Ombuds Panel, the Special Projects Director, and the Interim Executive Director of the Office of Community Engagement reported to me.
- Coordinated, with Kyle Kaalberg (Special Projects Director), the continued implementation of UNLV's strategic plan (Top Tier). In late 2018, UNLV was added to the list of Carnegie R1 institutions.
- Served as a member of the President's Cabinet.
- Coordinated and monitored compliance activities across UNLV.
- Interacted frequently with members of the Board of Regents and the Nevada System of Higher Education.

Responsibilities and Accomplishments as Acting Executive Vice President and Provost:

- The deans of the School of Allied Health Sciences, the Lee Business School, the School of Community Health Sciences (now the School of Public Health), the School of Dental Medicine, the College of Education, the Howard R. Hughes College of Engineering, the College of Fine Arts, the Graduate College, the Honors College, the William F. Harrah

College of Hotel Administration, the William S. Boyd School of Law, the College of Liberal Arts, the School of Medicine (co-reporting to the President), the School of Nursing, the College of Sciences, and the Greenspun College of Urban Affairs all reported to me, as did the Senior Vice Provost, the Vice Provost for Information Technology, the Assistant Vice President of Academic Resources, the Associate Vice Provost for the Office of Decision Support, and the Special Assistant to the Executive Vice President and Provost.

- Chaired the board of directors of UNLV Singapore Ltd.
- Worked with President Jessup, two co-chairs of the Top Tier Plan, and the chairs and co-chairs of five committees, to implement year one of the Top Tier strategic plan.
- Repaired relationships with the Faculty Senate.
- Hired three new deans (Liberal Arts, Fine Arts, and Allied Health) and one acting dean (Sciences).
- Reinstated the three-year dean review process and provided more autonomy to the deans of schools and colleges.

Responsibilities and Accomplishments as Acting Senior Vice President for Finance & Business:

- The departments of Planning and Construction, Budgets, Campus Audit, Human Resources, Facilities Management, Administration (Delivery Service, Telecommunication Services, Parking Services, and Real Estate), Risk Management and Safety, Purchasing, and the Controller reported to me.
- Served as a member of the negotiating team for the Las Vegas Stadium (Las Vegas Raiders).
- Repaired a challenging set of internal management issues.

Responsibilities and Accomplishments as Senior Advisor to the UNLV President:

- Developed the strategic plan (Top Tier) by working in concert with former Presidents Donald Snyder and Len Jessup, Jim Thomson (the Special Advisor to the President for Regional Development and also the former CEO of the RAND Corp.), our consultants (Academic Leadership Associates), Kyle Kaalberg (then the Special Assistant to the President's Chief of Staff), over 200 stakeholders inside and outside UNLV.
- Continued to serve as the point person for the execution of UNLV's strategic plan during all other central administration roles.

Responsibilities and Accomplishments as Interim Dean of Boyd School of Law:

- The Associate Dean for Academic Affairs, the Associate Dean for Student Affairs, the Associate Dean for Administration and External Affairs, the Associate Dean for Faculty Development and Research, the Director of the Wiener-Rogers Law Library, the Director of Information Technology and the Budget Director all reported to me.
- Managed a budget of roughly \$20 million.
- Facilitated the conversion process for legal writing professors to move from long-term contracts to tenure-track positions and facilitated the hiring of two new tenure-track professors.

- Significant fundraising success; systematized certain internal functions; and facilitated a review of our curriculum.
- *Honors*: Named “Faculty Member of the Year” (and faculty commencement speaker) by Boyd law students in 2021; named “Dean of the Year” by Boyd law students in 2013.

University of Houston Law Center

Professor of Law (2006-07).

Dean (2000-06).

Responsibilities and Accomplishments as Dean:

- The Associate Dean for Academic Affairs, the Associate Dean for Student Affairs, the Director of the O’Quinn Law Library, the Associate Dean for Information Technology, the Associate Dean for Finance and Administration and Chief Operating Officer of the Law Foundation, the Associate Dean for External Affairs and Executive Director of the Law Foundation, and the Director of CLE all reported to me.
- Presided over a record increase in the amount and size of gifts to the Law Center, even during a downturn in the economy; raised seven new Law Center professorships, in partnership with a special campaign of the University of Houston, in under two months.
- Facilitated the establishment of several new centers, programs, and institutes, including the Criminal Justice Institute, the Institute for Energy, Law & Enterprise (now the Program in Energy, Environment & Natural Resources), and the Center for Consumer Law.
- Reinvigorated the Blakely Advocacy Institute (BAI) and acquired the A.A. White Center for Dispute Resolution as part of the BAI.
- Encouraged the first major revamping of the Law Center’s curriculum in twenty years.
- Hired fourteen new faculty members (three of which hold endowed chairs at the Law Center).
- Facilitated the Law Center’s recovery from the devastation caused by Tropical Storm Allison on June 9, 2001, which poured over 12 feet of water into the Law Center’s sub-basement and destroyed much of its library collection (over 175,000 volumes and 1,000,000 microfiche lost) and all of the Law Center’s facilities. As part of the lessons learned during our recovery, hosted Loyola University New Orleans College of Law after Hurricane Katrina, until it could recover and return to New Orleans.

University of Nebraska College of Law

Dean and Professor of Law (1998-00).

Responsibilities and Accomplishments as Dean:

- The Associate Dean, the Assistant Dean for Administration and Student Services, the Assistant Dean for Career Services and Alumni Relations, the Director of the Law Library, the Director of Development, the Office Manager, and the Acting Head of the Nebraska Institute for Technology in the Practice of Law all reported to me.

- Instituted the creation of a new Access database to enable all Law College administrative units to organize and share information; improved our systems for the scheduling of Law College events, the timely review of employees, and the cultivation and stewardship of donors; initiated the design of the new “image” of the Law College; and revamped the furnishings of the student lounge (at zero cost to the Law College).
- Raised significant funds for such needs as scholarships and professorships.
- Encouraged the establishment of new student organizations (including an organization for law students who preferred non-traditional career paths and a GLBT student organization).
- Encouraged the development of a link between an undergraduate “learning community” and the Law College.

Moritz College of Law, The Ohio State University

Professor (1998).

Associate Dean for Student Affairs (1996-98).

Associate Professor (with tenure) (1995-98).

Assistant Professor (1991-95).

Responsibilities and Accomplishments as Associate Dean for Student Affairs:

- Assistant Dean of Admissions and Financial Aid, the Financial Aid Counselor and Staff Assistant, and the Placement Director reported to me.
- Counseled potential applicants regarding admission to College of Law and counseled existing students on academic and non-academic issues.
- With our Development Director, facilitated the establishment and maintenance of scholarships and other relationships with donors.

Morrison & Foerster LLP

Associate, Bankruptcy and Workouts Group, Business Department (1986-91).

- Bankruptcy cases included *In re Toy Liquidating Co. (Worlds of Wonder)*, *Plexus*, *Greyhound*, *Nucorp*, and *California Land & Cattle Co.*
- Significant experience in bankruptcies involving industries such as toy manufacturers, computers, livestock, and television stations.

**The Hon. Joseph T. Sneed, United States Court of Appeals for the Ninth Circuit
Judicial Clerk (1985-86).**

PUBLICATIONS, GRANTS, SPECIAL TRAINING, AND PRESENTATIONS

Works in progress

- Nancy B. Rapoport, *Am I My Colleagues' Keeper When It Comes to Disclosing Connections?*, 40 EMORY BANKR. DEV. J. ____ (forthcoming 2024) (solicited manuscript), draft available at <https://papers.ssrn.com/abstract=4700214>.

- Nancy B. Rapoport, *Failing to See What's in Front of Our Eyes: The Effect of Cognitive Errors on Corporate Scandals*, __ WM. & MARY BUS. L. REV. __ (forthcoming 2024) (solicited manuscript).
- Nancy B. Rapoport, *Training Law Students to Model Civility When Social Media Makes Civility Harder to Maintain*, University of Pittsburgh School of Law, Symposium on the Jurisprudence and Legacy of the Honorable Joseph F. Weis Jr., __ U. PITT. L. REV. __ (forthcoming 2024) (invited speaker).

Animated videos

- Aspen Practice Perfect Series, *Professional Responsibility* (2024) (with Andrew M. Perlman and Melissa B. Shultz).

Books

- BERNARD A. BURK, VERONICA J. FINKELSTEIN & NANCY B. RAPOPORT, *ETHICAL LAWYERING: A GUIDE FOR THE WELL-INTENTIONED* (Aspen Publishing 2021) (second edition forthcoming 2024).
- NANCY B. RAPOPORT & JEFFREY D. VAN NIEL, *CORPORATE SCANDALS AND THEIR IMPLICATIONS* (3d ed.) (West Academic 2018).
- BLOOMBERG BNA BANKRUPTCY LAW TREATISE, *A TREATISE WITH REAL-TIME UPDATES* (contributing editor) (Bloomberg BNA 2014).
- NANCY B. RAPOPORT & JEFFREY D. VAN NIEL, *LAW FIRM JOB SURVIVAL MANUAL: FROM FIRST INTERVIEW TO PARTNERSHIP* (Wolters Kluwer 2014).
- NANCY B. RAPOPORT & JEFFREY D. VAN NIEL, *LAW SCHOOL SURVIVAL MANUAL: FROM LSAT TO BAR EXAM* (Aspen Publishers / Wolters Kluwer 2010).
- NANCY B. RAPOPORT, JEFFREY D. VAN NIEL & BALA G. DHARAN, *ENRON AND OTHER CORPORATE FIASCOS: THE CORPORATE SCANDAL READER* (Foundation Press 2d ed. 2009).
- STEVEN L. EMANUEL, *STRATEGIES & TACTICS FOR THE MBE* (Aspen Publishers / Wolters Kluwer 2009) (one of several revision authors).
- NANCY B. RAPOPORT & BALA G. DHARAN, *ENRON: CORPORATE FIASCOS AND THEIR IMPLICATIONS* (Foundation Press 2004).
- DAVID B. GOODWIN & NANCY B. RAPOPORT, *AN ORAL HISTORY OF THE HONORABLE JOSEPH T. SNEED*, Ninth Circuit Historical Society (1994) (solicited oral history).

Reports

- Reporter, American College of Bankruptcy Diversity, Equity, and Inclusion Committee (2022-2024).
- Reporter, American College of Bankruptcy Select Commission on Diversity, Equity, and Inclusion (2021-2022).
- LOIS R. LUPICA & NANCY B. RAPOPORT, CO-REPORTERS, *FINAL REPORT OF THE ABI NATIONAL ETHICS TASK FORCE* (2013), available at https://abi-org-corp.s3.amazonaws.com/materials/Final_Report_ABI_Ethics_Task_Force.pdf.

Book chapters

- Nancy B. Rapoport, *Compromising One's Principles: The Lesson of Mahlon Perkins and the Berkey-Kodak Case*, in NANCY B. RAPOPORT & JEFFREY D. VAN NIEL, CORPORATE SCANDALS AND THEIR IMPLICATIONS 545 (3d ed.) (West Academic 2018).
- Nancy B. Rapoport, *Social Media Ethics Missteps for Lawyers (and Others)*, PROCEEDINGS OF THE SIXTIETH ANNUAL ROCKY MOUNTAIN MINERAL LAW INSTITUTE 3-1 (July 2014), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2557095.
- Nancy B. Rapoport, *Analysis and the Arts*, in ZENON BANKOWSKI, MAKSYMILIAN DEL MAR & PAUL MAHARG, THE ARTS AND THE LEGAL ACADEMY: BEYOND TEXT IN LEGAL EDUCATION 101 (Ashgate Press 2012) (solicited essay), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2464202.
- COLLIER COMPENSATION, EMPLOYMENT AND APPOINTMENT OF TRUSTEES AND PROFESSIONALS IN BANKRUPTCY CASES (Lexis-Nexis 2009) (one of several revision authors).
- Nancy B. Rapoport, *Swimming with Shark*, in LAWYERS IN YOUR LIVING ROOM! LAW ON TELEVISION 163 (Michael Asimow, ed., 2009) (solicited manuscript), chapter available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1157053.
- Nancy B. Rapoport, *Reflections of a Former Dean*, in LAW SCHOOL LEADERSHIP STRATEGIES: TOP DEANS ON BENCHMARKING SUCCESS, INCORPORATING FEEDBACK FROM FACULTY AND STUDENTS, AND BUILDING THE ENDOWMENT 199 (Aspatore Books 2006) (solicited), abstract available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=979321.
- Nancy B. Rapoport, *Bankruptcy Ethics Issues for Solos and Small Firms*, in ATTORNEY LIABILITY IN BANKRUPTCY (Corinne Cooper, ed. & Catherine E. Vance, contributing ed., ABA 2006) (solicited manuscript).
- Nancy B. Rapoport, *Lord of the Flies: The Development of Rules Within an Adolescent Culture*, in SCREENING JUSTICE—THE CINEMA OF LAW: FIFTY SIGNIFICANT FILMS OF LAW, ORDER AND SOCIAL JUSTICE 253 (Rennard Strickland, Teree Foster & Taunya Banks, eds. 2006) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=949168.
- Nancy B. Rapoport & Jeffrey D. Van Niel, *Dr. Jekyll & Mr. Skilling: How Enron's Public Image Morphed from the Most Innovative Company in the Fortune 500 to the Most Notorious Company Ever*, in ENRON: CORPORATE FIASCOS AND THEIR IMPLICATIONS 77 (Nancy B. Rapoport & Bala G. Dharan, eds.) (Foundation Press 2004), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=505662.

Articles, book reviews, and essays

- Nancy B. Rapoport & Joseph R. Tiano, Jr., *Walking the Data Walk: Using Time Entries to Advance DEI Initiatives*, 79 BUS. LAW. 1 (Winter 2023-2024) (peer-reviewed), <https://ssrn.com/abstract=4728030>.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., *Expert Q&A on the Ethical Considerations of AI and the Reasonableness of Bankruptcy Fees, Now That Generative AI Is Here to Stay*, THOMSON REUTERS PRACTICAL LAW (Nov. 10, 2023), <http://content.next.westlaw.com/w-041-2232> or <https://www.reuters.com/practical-law-the-journal/transactional/ai-bankruptcy-practice-2024-02-01/>.

- Hon. Cynthia A. Norton & Nancy B. Rapoport, *Doubling Down on Dumb: Lessons from Mata v. Avianca Inc.*, ABI J. 24 (Aug. 2023), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4528686.
- Nancy B. Rapoport, *Review of 2022 Books on Legal Education*, 2023 GREEN BAG ALM. 270 (solicited manuscript), available at <https://papers.ssrn.com/abstract=4522108>.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., *Reimagining “Reasonableness” Under Section 330(a) in a World of Technology, Data, and Artificial Intelligence*, 97 AM. BANKR. L.J. 254 (2023) (peer-reviewed), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4515196.
- John G. Cameron & Nancy B. Rapoport, *Ethics For Real Estate Lawyers and Practice Today*, 39 THE PRACTICAL REAL ESTATE LAWYER 30 (ALI CLE, May 2023), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4417451.
- Nancy Rapoport, *Stanford Law Protest Highlights Rise of Incivility*, LAW360 (Mar. 28, 2023), available at <https://www.law360.com/personal-injury-medical-malpractice/articles/1590537/stanford-law-protest-highlights-rise-of-incivility-in-discourse>.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., *Billing Judgment*, 96 AM. BANKR. L.J. 311 (2022) (peer-reviewed), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4172409.
- Joseph R. Tiano, Nancy B. Rapoport & William J. Siroky, *The Specter of Malpractice: When Law Firm General Counsel and Risk Management Professionals Are Confronted With Potential Malpractice Claims and Ethics Violations*, 81 (ONLINE) 1 (2021), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3932534.
- Nancy B. Rapoport, *Being a First—Over and Over Again*, DENVER L. REV. FORUM (7/31/2021) available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3897378.
- Nancy B. Rapoport, *Telling the Story on Your Timesheets: A Fee Examiner’s Tips for Creditors’ Lawyers and Bankruptcy Estate Professionals*, 15 BROOK. J. OF CORP. FIN. & COM. L. 359 (2021), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3853962.
- Nancy B. Rapoport & Joe Tiano, *Biglaw Surprises Some With Record Profits in 2020—Now What?*, ABOVE THE LAW (April 30, 2021), available at <https://abovethelaw.com/2021/04/biglaw-surprises-some-with-record-profits-in-2020-now-what/>.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., *The Legal Industry’s Second Chance To Get It Right*, 57 WILLAMETTE L. REV. 1 (2021), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3773197.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., *Using Data Analytics to Predict an Individual Lawyer’s Legal Malpractice Risk Profile (Becoming an LPL “Precog”)*, 6 U. PA. J. L. & PUB. AFF. 267 (2020), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3760626.
- Nancy B. Rapoport, *Help Your Provost Help You During Promotion and Tenure Decisions*, 24 THE GREEN BAG 83 (2020) (peer-reviewed), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3748896.
- Nancy B. Rapoport, *Want to Take Control of Professional Fees in Large Chapter 11 Bankruptcy Cases? Talking With Your Client’s General Counsel is a Good First Step*, Harvard Law School Bankruptcy Roundtable, July 28, 2020, available at <http://blogs.harvard.edu/bankruptcyroundtable/2020/07/28/want-to-take-control-of-professional-fees-in-large-chapter-11-bankruptcy-cases-talking-with-your-clients-general-counsel-is-a-good-first-step/>.

- Nancy B. Rapoport, *Training Law Students To Maintain Civility in Their Law Practices as a Way To Improve Public Discourse*, North Carolina Law Review 2019 Symposium, 98 N.C. L. REV. 1143 (2020) (solicited manuscript), available at <https://ssrn.com/abstract=3616995>.
- Nancy B. Rapoport & Joe Tiano, *COVID-19 Could Catalyze The Legal Industry Renaissance*, ABOVE THE LAW (April 29, 2020), available at <https://abovethelaw.com/2020/04/covid-19-could-catalyze-the-legal-industry-renaissance/>.
- Nancy B. Rapoport, *Using General Counsel to Set the Tone for Work in Large Chapter 11 Cases*, 88 FORDHAM L. REV. 1727 (2020) (solicited manuscript) (presented at the Stein Center for Law and Ethics Colloquium on Corporate Lawyers (October 2019)), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3591118.
- Nancy B. Rapoport, *Client-Focused Management of Expectations for Legal Fees in Large Chapter 11 Cases*, 28 AM. BANKR. INST. L. REV. 39 (2020), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3541347.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., *Leveraging Legal Analytics and Spend Data as a Law Firm Self-Governance Tool*, XIII J. BUS., ENTREPRENEURSHIP & L. 171 (2019) (presented at Arizona State University's 7th Annual Conference on the Governance of Emerging Technologies & Science: Law, Policy & Ethics (May 2019)), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3525660.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., *Legal Analytics, Social Science, and Legal Fees: Reimagining "Legal Spend" Decisions in an Evolving Industry*, Georgia State Symposium on Legal Analytics, 35 GA. ST. U. L. REV. 1269 (2019), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3418465.
- Dwayne J. Hermes, Erica R. LaVarnway & Nancy B. Rapoport, *A Solutions-Oriented Approach: Changing How Insurance Litigation Is Handled by Defense Law Firms*, 2017 J. PROF'L L. 129 (peer-reviewed annual journal of the Center for Professional Responsibility of the American Bar Association), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3104055.
- Nancy B. Rapoport, *How Teams Can Help You (or Hurt You) When It Comes to Ethics*, December 2017 ABI J. 24, available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3085229.
- Nancy B. Rapoport & Charlie Douglas, *High Performance Organizational Teams*, LISI Estate Planning Newsletter #2563 (July 3, 2017), available at <http://www.leimbergservices.com> and at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2998424.
- Nancy B. Rapoport, *In Praise of Margaret Howard*, 74 WASH. & LEE L. REV. 641 (2017), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2981404.
- Nancy B. Rapoport, *Ethics: Why We Must Play Well with Others (and Why We Don't)*, Rocky Mountain Mineral Law Foundation, MANUAL OF THE ADVANCED PUBLIC LANDS SPECIAL INSTITUTE 587 (2017), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2917346.
- Nancy B. Rapoport, *On Shared Governance, Missed Opportunities, and Student Protests*, 17 NEV. L.J. 1 (2016), available at <http://ssrn.com/abstract=2885539>.
- Randy D. Gordon & Nancy B. Rapoport, *Virtuous Billing*, 15 NEV. L.J. 698 (2015), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2670628.
- Nancy B. Rapoport, "Nudging" Better Lawyer Behavior: Using Default Rules and Incentives to Change Behavior in Law Firms, 4 ST. MARY'S J. L. ETHICS & MALP. 42 (2014) (solicited manuscript for symposium on Legal Malpractice and Ethics), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2460078.

- Nancy B. Rapoport, *The Client Who Did Too Much*, 47 AKRON L. REV. 121 (2014) (solicited as part of the Joseph G. Miller and William C. Becker Center for Professional Responsibility's Symposium on Navigating the Practice of Law in the Wake of Ethics 20/20), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2412496.
- Nancy B. Rapoport, *Plus Ça Change, Plus C'est La Même Chose*, 17 GREEN BAG 55 (2013) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2404069.
- Lois R. Lupica & Nancy B. Rapoport, *Best Practices for Working with Fee Examiners*, 32 AM. BANKR. INST. J. 20 (June 2013), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2279642.
- Nancy B. Rapoport, *Rethinking U.S. Legal Education: No More "Same Old, Same Old,"* 45 CONN. L. REV. 1409 (2013), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2275315.
- Nancy B. Rapoport, *Managing U.S. News & World Report—The Enron Way*, 42 GONZAGA L. REV. 423 (2013), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2255194.
- Nancy B. Rapoport, Book Review, Brian Z. Tamanaha, *Failing Law Schools* (2012), 47 L. & SOC. REV. 229 (2013) (solicited review), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2233617.
- Nancy B. Rapoport, *Black Swans, Ostriches, and Ponzi Schemes*, 42 GOLDEN GATE L. REV. 627 (2012) (solicited manuscript for symposium), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2131393.
- Nancy B. Rapoport, *The Case for Value Billing in Chapter 11*, 7 J. BUS. L. & TECH. LAW 117 (2012), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2039506.
- Nancy B. Rapoport, *Changing the Modal Law School: Rethinking U.S. Legal Education in (Most) Schools*, 116 PENN ST. L. REV. 1119 (2012), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2038409 (republished at 122 DICKINSON L. REV. 189 (2017)).
- Jennifer Gross & Nancy B. Rapoport, *Is the Attorney-Client Privilege Under Attack?*, GP | SOLO MAGAZINE 47 (October-November 2010), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1704026.
- Nancy B. Rapoport, *Rethinking Fees in Chapter 11 Bankruptcy Cases*, 5 J. BUS. & TECH. LAW 263 (2010) (solicited manuscript for University of Maryland School of Law's symposium on *Examining Government Reform in the Financial Crisis*), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1625102.
- Nancy B. Rapoport, *Through Gritted Teeth and Clenched Jaw: Court-Initiated Sanctions Opinions in Bankruptcy Courts*, 41 ST. MARY'S L.J. 701 (2010) (solicited manuscript for St. Mary's 9th Annual Symposium on *Legal Malpractice and Professional Responsibility*), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1628275.
- C.R. Bowles & Nancy B. Rapoport, *Debtor Counsel's Fiduciary Duty: Is There a Duty to Rat in Chapter 11?*, 29 AM. BANKR. INST. JOURNAL 16 (2010), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1544930.

- Nancy B. Rapoport, *Academic Freedom and Academic Responsibility* (reviewing MATTHEW W. FINKIN & ROBERT C. POST, FOR THE COMMON GOOD: PRINCIPLES OF AMERICAN ACADEMIC FREEDOM (Yale University Press 2009)), in 13 GREEN BAG 2D 189 (Winter 2010) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1544932.
- Eric Van Horn & Nancy B. Rapoport, *Restructuring the Misperception of Lawyers: Another Task for Bankruptcy Professionals*, 28 AM. BANKR. INST. JOURNAL 44 (2009), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1472211.
- Nancy B. Rapoport, *Where Have All the (Legal) Stories Gone?*, M/E INSIGHTS 7 (Fall 2009) (publication of the Association of Media and Entertainment Counsel), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1545443.
- Nancy B. Rapoport, *The real reason why businesses make bad decisions* (reviewing JONATHAN R. MACEY, CORPORATE GOVERNANCE: PROMISES KEPT, PROMISES BROKEN (Princeton University Press 2008)), in 18 BUS. LAW TODAY 52 (July/Aug. 2009) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1425118.
- Nancy B. Rapoport, *Lessons From Enron—And Why We Don't Learn From Them*, May/June 2009 COMMERCIAL LENDING REVIEW 23, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1413937.
- Colin Marks & Nancy B. Rapoport, *Corporate Ethical Responsibility and the Lawyer's Role in a Contemporary Democracy*, 77 FORDHAM L. REV. 1269 (2009) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1376475.
- Nancy B. Rapoport & Roland Bernier III, *(Almost) Everything We Learned About Pleasing Bankruptcy Judges, We Learned in Kindergarten*, 27 AM. BANKR. INST. J. 16 (July/August 2008), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1157103.
- Nancy B. Rapoport, *The Curious Incident of the Law Firm That Did Nothing in the Night-Time* (reviewing MILTON C. REGAN, JR., EAT WHAT YOU KILL: THE FALL OF A WALL STREET LAWYER (Univ. of Michigan Press 2004)), in 10 LEGAL ETHICS 98 (2007), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1017627 and at <http://www.tandfonline.com/doi/abs/10.1080/1460728X.2007.11423884>.
- Nancy B. Rapoport & Roland Bernier, *Bankruptcy Pro Bono Representation of Consumers: The Seven Deadly Sins*, 44 HOUS. LAWYER 18 (June 2007), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1051221.
- Nancy B. Rapoport, *Not Quite "Them," Not Quite "Us": Why It's Difficult for Former Deans to Go Home Again*, 38 U. TOLEDO L. REV. 581 (2006) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936251.
- Nancy B. Rapoport, *Eating Our Cake and Having It, Too: Why Real Change Is So Difficult in Law Schools*, 81 IND. L.J. 359 (2006) (solicited manuscript) (symposium at Indiana University-Bloomington School of Law—*The Next Generation of Law School Rankings*), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=703843.
- Nancy B. Rapoport, *Enron and the New Disinterestedness—The Foxes Are Guarding the Henhouse*, 13 AM. BANKR. INST. L. REV. 521 (2005) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936167.
- Nancy B. Rapoport, *Decanal Haiku*, 37 U. TOLEDO L. REV. 131 (2005) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936166.

- Nancy B. Rapoport, *Recent Developments in Bankruptcy Law*, 35 TEXAS TECH. L. REV. 543 (2004) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=938551.
- Nancy B. Rapoport, *"Venn" and the Art of Shared Governance*, 35 U. TOLEDO L. REV. 169 (2003) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936247.
- Nancy B. Rapoport, *Examining Enron's enablers: Watkins' perspective makes Swartz's account stand out*, HOUSTON CHRONICLE, March 23, 2003, at Zest 15 (solicited book review).
- Nancy B. Rapoport, *Enron, Titanic, and the Perfect Storm*, 71 FORDHAM L. REV. 1373 (2003) (solicited manuscript for a special issue on ethics), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=498122; also included as an essay in ENRON: CORPORATE FIASCOS AND THEIR IMPLICATIONS 927 (Nancy B. Rapoport & Bala G. Dharan, eds.) (Foundation Press 2004).
- Nancy B. Rapoport, *The Intractable Problem of Bankruptcy Ethics: Square Peg, Round Hole*, 30 HOFSTRA L. REV. 977 (2002) (solicited manuscript for ethics symposium), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936235.
- Nancy B. Rapoport, *In Memoriam: Yale Rosenberg*, 39 HOUS. L. REV. 869 (2002) (solicited essay), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1598446.
- Nancy B. Rapoport & Jeffrey D. Van Niel, *"Retail Choice" Is Coming: Have You Hugged Your Utilities Lawyer Today? (Part II)*, August 2002 NORTON BANKRUPTCY LAW ADVISER 2, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=963913.
- Nancy B. Rapoport, *Multidisciplinary Practice After In Re Enron: Should the Debate on MDP Change At All?*, TEXAS BAR JOURNAL 446 (May 2002), available at <http://www.texasbar.com/Template.cfm?Section=Home&Template=/ContentManagement/ContentDisplay.cfm&ContentID=5999>.
- Nancy B. Rapoport & Jeffrey D. Van Niel, *"Retail Choice" Is Coming: Have You Hugged Your Utilities Lawyer Today? (Part I)*, February 2002 NORTON BANKRUPTCY LAW ADVISER 4, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=963912.
- Nancy B. Rapoport, *Is "Thinking Like a Lawyer" Really What We Want to Teach?*, in *Erasing Lines: Integrating the Law School Curriculum*, 2001 ALWD CONF. PROCEEDINGS 91, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936248.
- Nancy B. Rapoport, *When Local IS Global: Using a Consortium of Law Schools to Encourage Global Thinking*, 20 PENN STATE INT'L LAW REVIEW 19 (2001) (transcript of AALS Annual Meeting session).
- Nancy B. Rapoport, *Of Cat-Herders, Conductors, Fearless Leaders, and Tour Guides*, 33 U. TOLEDO L. REV. 161 (2001) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936245.
- Nancy B. Rapoport, *Presidential Ethics: Should a Law Degree Make a Difference?*, 14 GEO. J. L. ETHICS 725 (2001), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=260021.
- Nancy B. Rapoport, *Going from "Us" to "Them" in Sixty Seconds*, 31 U. TOLEDO L. REV. 703 (2000) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936171.

- Nancy B. Rapoport, *Dressed for Excess: How Hollywood Affects the Professional Behavior of Lawyers*, 14 NOTRE DAME J. OF LAW, ETHICS & PUBLIC POLICY 49 (2000) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936188.
- Nancy B. Rapoport, *Ratings, Not Rankings: Why U.S. News & World Report Shouldn't Want To Be Compared To Time and Newsweek—or The New Yorker*, 60 OHIO ST. L.J. 1097 (1999), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936246.
- Nancy B. Rapoport, *Living "Top-Down" in a "Bottom-Up" World: Musings on the Relationship Between Jewish Ethics and Legal Ethics*, 78 NEB. L. REV. 18 (1999), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936241.
- Nancy B. Rapoport, *Moral Bankruptcy: Modeling Appropriate Attorney Behavior in Bankruptcy Cases*, THE NEBRASKA LAWYER 14 (March 1999) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1598447.
- Nancy B. Rapoport, *The Need For New Bankruptcy Ethics Rules: How Can "One Size Fits All" Fit Anybody?*, 10 PROFESSIONAL LAWYER 20 (1998) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=939448.
- Nancy B. Rapoport, *Our House, Our Rules: The Need for a Uniform Code of Bankruptcy Ethics*, 6 AM. BANKR. INST. L. REV. 45 (1998) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936343.
- C.R. Bowles & Nancy B. Rapoport, *Has the DIP's Attorney Become the Ultimate Creditors' Lawyer in Bankruptcy Reorganization Cases?*, 5 AM. BANKR. INST. L. REV. 47 (1997) (symposium manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936240.
- Nancy B. Rapoport, *Ethics: Is Disinterestedness Still a Viable Concept? A Roundtable Discussion*, 5 AM. BANKR. INST. L. REV. 201 (1997) (solicited transcript) (with co-panelists John D. Ayer, the Hon. Charles N. Clevert, the Hon. Joel Pelofsky & Bettina Whyte), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936340.
- Nancy B. Rapoport, *Turning the Microscope on Ourselves: Self-Assessment by Bankruptcy Lawyers of Potential Conflicts of Interest in Columbus, Ohio*, 58 OHIO ST. L.J. 1421 (1997), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=938611.
- Nancy B. Rapoport, *Avoiding Judicial Wrath: The Ten Commandments for Bankruptcy Practitioners*, 5 J. BANKR. L. & PRAC. 615 (September/October 1996) (solicited manuscript), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=940769.
- Nancy B. Rapoport, *Seeing the Forest and The Trees: The Proper Role of the Bankruptcy Attorney*, 70 IND. L.J. 783 (1995), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=938527.
- Nancy B. Rapoport, *Worth Reading: Review of Annual Survey of Bankruptcy Law*, TURNAROUNDS AND WORKOUTS (Beard Group, Inc.), January 15, 1995, at 6 (solicited book review).
- Nancy B. Rapoport, *Turning and Turning in the Widening Gyre: The Problem of Potential Conflicts of Interest in Bankruptcy*, 26 CONN. L. REV. 913 (1994), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936337.

Op-eds

- Nancy Rapoport & Mary Langsner, *Why does the bankruptcy code discriminate against disabled veterans?*, THE HILL (Jan. 24, 2019), available at <https://thehill.com/opinion/finance/426854-why-does-the-bankruptcy-code-discriminate-against-disabled-veterans>.
- Lois R. Lupica & Nancy Rapoport, *Consumer Debtors Should Not Have To Go It Alone*, DOW JONES DAILY BANKRUPTCY REVIEW (May 1, 2013), available at <http://bankruptcynews.dowjones.com/article?an=DJFDBR0020130501e951qbfa8&from=alert&pid=10&ReturnUrl=http%3a%2f%2fbankruptcynews.dowjones.com%3a80%2farticle%3fan%3dDJFDBR0020130501e951qbfa8%26from%3dalert%26pid%3d10>.
- Nancy Rapoport, *Board Smart Not to Raise the Superintendent Salary Stakes*, LAS VEGAS SUN, September 5, 2010, available at <http://www.lasvegassun.com/news/2010/sep/05/board-smart-not-raise-superintendent-salary-stakes/>.
- Nancy B. Rapoport, *Enron an Example: Grads Lost in Trees*, HOUSTON CHRONICLE, February 24, 2002, at 4H.
- Nancy B. Rapoport, *Wrestling with the Problem of Potential Conflicts of Interest in Bankruptcy*, 26 BANKRUPTCY COURT DECISIONS WEEKLY NEWS AND COMMENT (LRP Publications), March 7, 1995, at A3 (solicited editorial).

Grants

- 2002 participant, Harvard Institutes for Higher Education Management and Leadership in Education (MLE) Program (partial scholarship from Harvard, \$1,000 in 2001—had to withdraw, due to the aftermath of Tropical Storm Allison, but returned to participate in 2002).
- 1999 participant, Harvard Institutes for Higher Education Management Development Program (MDP) (partial scholarship from Harvard, \$1,000).
- 1995 Instructional Technology Small Grant (Ohio State funds; \$850).
- 1995 West Publishing/NCAIR Fellow (\$15,000 grant for developing a computer program that teaches law students about conflicts of interest in bankruptcy law).
- 1994 participant in Summer Institute of the Law & Society Association (Wellesley, Massachusetts).
- 1993 University Seed Grant for the study of creditor representation in bankruptcy (1993 grant from Ohio State University's Office of Research & the College of Law).

Podcasts (as guest speaker)

- PLUS blog (with Joseph R. Tiano, Jr.), *Becoming an LPL "Precog"*, <https://plusblog.org/2022/10/10/plus-podcast-becoming-an-lpl-precog/>.
- Jay Edelson, NON-COMPLIANT, *Episode 13: The One Where Professor Nancy Rapoport Discusses the Future of Law Firms*, July 1, 2020, available at <https://podcasts.apple.com/us/podcast/episode-13-one-where-professor-nancy-raपोपोर्ट-discusses/id1491233296?i=1000481718338>.

- Jay Edelson, NON-COMPLIANT, *Episode 14: The (Second) One Where Professor Nancy Rapoport Discusses the Future of Law Firms*, July 13, 2020, available at <https://podcasts.apple.com/us/podcast/episode-14-second-one-where-professor-nancy-rapoport/id1491233296?i=1000484787064>.

Selected academic presentations

Anthropology of higher education / higher education generally

- Society for Applied Anthropology's 79th annual meeting, *Moving Seamlessly From Faculty Status to Administrator and Then Back Again* (March 2019).
- Society for Applied Anthropology's 78th annual meeting, *Concentric and Overlapping Circles of Leadership in Higher Education* (April 2018).
- Society for Applied Anthropology's 77th annual meeting, *Women and Diversity: Being a "First"* (March 2017).
- 2010 Annual Meeting of Association of American Law Schools, Section on Women in Legal Education, *Succeeding in Legal Education* (January 2010).
- 2009 Annual Meeting of Association of American Law Schools, Committee on Curriculum Issues, *Redesigning Legal Education* (January 2009).
- 2007 Annual Meeting of Association of American Law Schools:
 - *Workshop on the Ratings Game (or Not!): The Search for Sensible Assessment*, moderator for plenary discussion, *We Didn't Even Bring the Box: A Roundtable Discussion on Creative Alternatives*, <http://www.aals.org/am2007/wednesday/ratings.html>.
 - Section on Continuing Legal Education, Co-Sponsored by Section on
 - Section on Professional Responsibility, *Legal Ethics CLE in the Law School Setting: Can It Be Practical, Academic, and Interesting at the Same Time?*
 - Section for the Law School Dean, *What I Wish I Had Known Then: A Conversation Among Deans*.
- Symposium at Indiana University-Bloomington School of Law, *Eating Our Cake and Having It, Too: Why Real Change Is So Difficult in Law Schools* (March 2005).
- "Better Learning, Better Lawyers" Conference, *Legal Education in the 21st Century: Radical Design for a Changing Profession* (August 2002).
- Annual Meeting of Association of American Law Schools, *Mini-Workshop on Major Issues of the 21st Century: The Impact on the Legal Academy and Law Students* (moderator of plenary session) (January 2000).

Social science and ethics / social science and governance / social science and lawyer behavior / bankruptcy law

- University of Pittsburgh School of Law, Symposium on The Jurisprudence and Legacy of the Honorable Joseph F. Weis Jr., *Irrepressible Civility, Professionalism, and Ethics in Defining the Lanyering Career*, (with Abraham C. Reich and Nathan M. Crystal) (March 2023).
- Fordham University School of Law, Colloquium on Corporate Lawyers, The Stein Center for Law and Ethics, *Using General Counsel to Set the Tone for Work in Large Chapter 11 Cases* (October 2019).

- Pontificia Universidad Javeriana Cali (Colombia)'s International Congress of Corporate Law, *Corporate Social Responsibility and Social Science* (November 2017) (invited speaker).
- Colombia's Superintendency of Companies, *Corporate Governance, Compliance and Business Ethics* (May 2016) (invited speaker).
- Colombia's Superintendency of Companies, Responsibility of Administrators and Business Ethics Seminar, *Why Smart People Make Bad Decisions* (March 2015) (invited speaker).
- Boyd School of Law, Conference on Psychology and Lawyering: Coalescing the Field, *Using Psychology to Change Law Firms' Default Incentive Structures* (with Randy D. Gordon) (invited panelist) (February 2014).
- The Ohio State University Moritz College of Law, faculty workshop presentation on "Nudging" Better Lawyer Behavior: *Using Default Rules and Incentives to Change Behavior in Law Firms* (November 2013).
- The Joseph G. Miller and William C. Becker Center for Professional Responsibility's Symposium on Navigating the Practice of Law in the Wake of Ethics 20/20, *What It Means To Be a Lawyer in These Uncertain Times (Part I)* (invited panelist) (April 2013).
- Roger Williams University School of Law, Women Who Lead Series, *Why the World Needs Nay-Sayers* (keynote speaker) (March 2010).
- Distinguished Lecturer, The Chapman Dialogue Series, Chapman University School of Law, *Why No Amount of Regulation Is Likely to Prevent Corporate Scandals* (February 2010).
- Association of American Law Schools, Annual Meeting, Section on Continuing Legal Education (co-sponsored by Section for the Law School Dean), *Exploring the Options for the Future of Legal Education* (with Kellye Y. Teste, Daniel McCarroll, Gary A. Munneke, and Ellen Y. Suni) (January 2010).
- Fordham Law School Colloquium, *The Lawyers' Role in a Contemporary Democracy* (with Colin Marks) (September 2008).
- Adjunct professor, St. John's University School of Law, LL.M. in Bankruptcy Program (Enron seminar), St. John's University School of Law Faculty, *Enron: Is It Still Relevant?* (March 2006 & March-April 2007).
- AALS Workshop—Do You Know Where Your Students Are? Langdell Logs On to the 21st Century, AALS Annual Meeting, *The Changing Face of the Deanship* (January 2002).
- The 2001 Legal Ethics Conference, Hofstra University School of Law, *Legal Ethics—What Needs Fixing?* (September 2001).
- AALS Bankruptcy Workshop, *Teaching Bankruptcy as a Vehicle for Teaching Other Values* (May 2001).
- ALWD (Association of Legal Writing Directors) Biennial Conference, *Do "Best Practices" in Legal Education Include an Obligation to the Legal Profession to Integrate Theory, Skills, and Doctrine in the Law School Curriculum?* (July 2001).
- AALS Workshop for New Law Teachers, *Satisfying Your Multiple Constituencies (How Your Dean Can Help)* (July 2000 & July 1999).
- Annual Meeting of the Association of American Law Schools, Creditors' & Debtors' Rights Section, *Local Cultures + Judicial Discretion = National Confusion?: Equities, Equations, and the "Uniformity" of the Bankruptcy Code* (January 1998).

Selected continuing legal education programs and other professional presentations

Legal education / the legal profession generally

- Legal Foresight Summit, *Convergence of Legal Risk Management and Business Strategy Consulting*, (with David Kamien, Scott Leeb, and Mark Ford) (March 2023).
- General Counsel Roundtable, *Using Data Analytics to Predict an Individual Lawyer's Legal Malpractice Risk Profile*, (with Joseph R. Tiano, Jr.) (June 2022).
- 128th Annual Convention of the Commercial Law League of America, *Navigating Ethical Issues in the New Remote World*, (keynote) (May 2022).
- United States District Court Conference, District of Nevada, *Ethics in the Movies: Lessons for Real Life*, (plenary session) (May 2022).
- General Counsel Roundtable, *The Specter of Malpractice*, (with Joseph R. Tiano, Jr.) (April 2022).
- Arizona State University's 7th Annual Conference on the Governance of Emerging Technologies & Science: Law, Policy & Ethics, *Leveraging Legal Analytics and Spend Data as a Law Firm Self-Governance Tool*, (with Joseph R. Tiano, Jr.) (May 2019).
- 2019 Mid-Year Meeting, National Organization of Bar Counsel, *A Look Inside the Incubator—The Challenges Facing Today's Law Students, Law Schools, and Newly-Minted Lawyers* (with Nelson Page and Ari Telisman) (January 2019).
- Law School Admission Council's Annual Meeting, *"Soothing the Savage Beast": The Art of Working Effectively With Difficult People* (with Floyd Weatherspoon) (June 2011).
- Houston Bar Minority Opportunities in the Legal Profession Committee & Minority Corporate Counsel Association: Business Development in a Belt-Tightening Economy, *Overcoming Barriers and Opening Doors to Your Personal Success* (February 2002).
- LSAC Academic Support Conference, *Why Support Academic Support Programs?* (June 2000).
- LSAC Annual Meeting, *Establishing a Partnership With a New Dean* (June 2000).
- American Bar Association's Workshop for New Law Deans, *Reflections of an Ex-Novice Dean* (June 1999).
- Annual Conference of the National Association for Law Placement, *Reliable Evaluation of Law Schools: Going Beyond Law School Rankings* (April 1999).

Bankruptcy / Ethics

- ABA Standing Committee on Lawyers' Professional Liability National Legal Malpractice Conference, *Cutting Edge Data Analytics – Claims Prediction and More* (plenary session) (with Joseph R. Tiano, Jr., Brad Dantic, and John P. Muller) (September 2023).
- 2023 Ninth Circuit Judicial Conference, Bankruptcy Breakout Session, *The Cutting Edge: AI and Fee Application Issues* (August 2023).
- American College of Bankruptcy, *Attorney Fees in Consumer Cases: A Policy and Ethics Discussion* (with Joyce Babin and Areya Holder Aurzada) (March 2023).
- American Bankruptcy Institute, Winter Leadership Conference, *Don't Just Say No: Technology, Ethics and the Changing Practice of Law* (with Prof. Lois Lupica and Joseph R. Tiano, Jr.) (December 2022).

- State Bar of Montana, Annual Meeting of Bankruptcy Section, *Billing Judgment* (July 2022).
- Annual meeting of the National Association of Chapter 13 Trustees, *Ethical Implications of Remote Lawyering Post-Pandemic* (plenary session) (July 2022).
- Ninth Circuit Conference of Chief Bankruptcy Judges, Bankruptcy Court Clerks and Bankruptcy Lawyer Representatives, *Billing Judgment* (March 2022).
- Annual Meeting of National Conference of Bankruptcy Judges, *Start Your Engines! Jeopardy—the Broken Bench Edition* (with Demetra Liggins and Judges Pamela Pepper and Catherine J. Furay) (October 2021).
- Los Angeles Chapter, Federal Bar Association, 17th Annual Bankruptcy Ethics Symposium, keynote address, *Telling the Story on Your Timesheets: A Fee Examiner's Tips for Creditors' Lawyers and Bankruptcy Estate Professionals* (November 2020).
- AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW panel discussion, *Professional Fees in Bankruptcy* (with co-panelists Judge Kevin Carey, attorney Douglas Deutsch, Professor Stephen Lubben, and Professor John Pottow) (April 2019).
- National Conference of Bankruptcy Judges, *NCBJ Plenary: Broken Bench Awards Show: The Best Little Show in Texas* (October 2018).
- ABI 38th Annual Midwestern Bankruptcy Institute, *Sanctions and Social Science* (October 2018) (with Adam Miller).
- Fifth Annual James T. King Bankruptcy Symposium, *Ethics and Getting Paid* (July 2018) (with the Hon. Erithe A. Smith and M. Jonathan Hayes).
- American Bankruptcy Institute, VALCON 2018, *Special Problems Presenting Financial Consultants as Expert Witnesses and Ethics Hot Topics* (May 2018) (with Michael Richman, George Angelich, and Ted Gavin).
- American Bankruptcy Institute's Annual Spring Meeting, *Ethics Jeopardy* (with Nan Roberts Eitel, Lois Lupica, and Bill Rochelle) (April 2017).
- American Bankruptcy Institute's Annual Spring Meeting, *A Primer on Dealing with Fee Examiners* (with Van Durrer, II, William K. Harrington, Robert J. Keach, and John F. Theil) (April 2016).
- 29th Annual Central California Bankruptcy Institute, *How to Use Social Science to Improve Ethics in a Law Firm* (September 2015).
- 89th Annual National Conference of Bankruptcy Judges, *Ethics and Social Media* (panel discussion with the Hon. Hannah Blumenstiel and Peter Fessenden) (September 2015).
- National Association of Legal Fee Analysts (NALFA) webinar, *Bankruptcy Fee Examiners in Large Chapter 11 Cases* (panel discussion with Walter W. Theus, Jr., Senior Trial Attorney, USDOJ U.S. Trustee Program and Jeffrey L. Cohen, Partner, Cooley, LLP) (May 2015).
- Bankruptcy Section of the Federal Bar Association and the Los Angeles Chapter of the Federal Bar Association, 11th Annual Bankruptcy Ethics Symposium, *An Ethics Conversation* (with Gillian N. Brown) (November 2014).
- Texas Bankruptcy Law Section Bench/Bar Conference, *Recent Attorney Fee Issues* (June 2013).
- Rocky Mountain Bankruptcy Conference: IWIRC session on bankruptcy ethics; keynote speaker on *Bankruptcy Ethics in Pop Culture* (January 2013).

- Speaker at three sessions of the 86th Annual National Conference of Bankruptcy Judges: ABA session on *Ethical Issues Involving Pro Bono Representation: Spotting the Issues, Solving the Problems*; NCBJ session on *The Ethics of Organizers—Ethical Challenges in Forming Official and Unofficial Committees*; and CLLA session on *Pre-Bankruptcy Ethics—How to Avoid the Minefields Before Battle Begins* (October 2012).
- Sacramento Valley Bankruptcy Forum's 11th Annual Northern California Bankruptcy Conference, *Stupid Lawyer Tricks* (March 2012).
- National Association of Bankruptcy Trustees' Spring Meeting, panelist on *Friend Me? Ethics and Professionalism Issues Related to the Use of Social Media* (March 2012).
- ABA Business Law Section's Annual Spring Meeting, panelist for the sessions on *Ethical Issues in Commercial Transactions*, *Should In-House Counsel Be Navigating in the Choppy Waters of Corporate Compliance?*, and *Consumer Bankruptcy Clinics for Law Schools* (March 2012).
- Southeastern Bankruptcy Law Institute, SBLI Visiting Scholar Presentation, *The Case for Value Billing in Chapter 11* (October 2011).
- Bankruptcy Law Section of the State Bar of Texas Bench/Bar Conference, "Money, Money, Money" -- *Red Flags to Fee Examiners and Solutions to Those Red Flags* (with the Hon. H. Christopher Mott, Kemp Sawers, and Warren H. Smith) (June 2011).
- American Bankruptcy Institute's Annual Spring Meeting, *Fulfilling the Fiduciary Duty in a Complex Commercial World* (with Richard M. Meth & Judith Greenstone Miller (plenary session) (April 2011).
- Annual Meeting of National Conference of Bankruptcy Judges, *(Almost) Everything You Wanted to Know About...Getting Retained and Committee Solicitation Issues – The Problems, the Rules and the Enforcers* (October 2009).
- ABI Southwest Bankruptcy Conference, *Multimedia Ethics Presentation; Perspectives from the Bench and Ethical Issues*; and *Ethics—Walking in the Grey Areas: Advising Clients and Avoiding Pitfalls in Ethically Unsettled Areas* (September 2009).
- ALI-ABI Live Telephone Seminar and Audio Webcast: Ethics and Professionalism Series, *When Bankruptcy Comes Calling on Your Client: Five Common Ethical Mistakes* (April 2009).
- ABI Annual Spring Meeting, *Multimedia Ethics Presentation* (plenary session) (April 2009).
- Alaska Bar Association and Alaska Bankruptcy Bar, *Ethics and Popular Culture and Issues in Bankruptcy Ethics* (March 2009).
- National Conference of Bankruptcy Judges, 82d Annual Conference, *Ethical Fee Limits: Getting Paid and Getting What You Deserve* (September 2008).
- American Bankruptcy Institute's 16th Annual Southwest Bankruptcy Conference, *Multimedia Ethics Extravaganza* (plenary session) (September 2008).
- National Conference of Consumer Bankruptcy Attorneys, 16th Annual Conference, *Ethics Issues* (May 2008).
- American Bankruptcy Institute's 26th Anniversary Annual Spring Meeting, *Beyond Ethics: The Coexistence of Zealousness, Professionalism and Civility in the Insolvency Community* (April 2008).
- American Bankruptcy Institute's 19th Annual Winter Leadership Conference, *Presentation of Fee Study* (February 2008).
- National Conference of Bankruptcy Judges, 81st Annual Conference, Commercial Law League of America's 22nd Annual Educational Program's panel on *Preemption and Federalism Issues in Bankruptcy* (October 2007).

- American Bankruptcy Institute's 15th Annual Southwest Bankruptcy Conference, *Ethics: Negotiating the Sanctions Minefield* (September 2007).
- American Bankruptcy Institute's 25th Annual Spring Meeting, *The Application of State Ethics Rules in Bankruptcy: Are We Just Holding Our Noses and Looking the Other Way?* (April 2007).
- 25th Anniversary Jay L. Westbrook Bankruptcy Conference, University of Texas CLE (with Martin Bienenstock), *Conflicts Writ Large: Intercreditor Issues and Issues with Fees and Overbilling* (November 2006).
- Annual Meeting of National Conference of Bankruptcy Judges, ABA Luncheon Meeting, *Examining the Examiner* (October 2004).
- Annual Meeting of National Conference of Bankruptcy Judges, *Current Bankruptcy Ethics Issues: It's Not That You Ought To! It's That You "Got To!"* (October 2004).
- Commercial Law League of America, Annual Meeting, *Bankruptcy Ethics* (April 2003).
- 4th Annual Barry L. Zaretsky Roundtable, Brooklyn Law School, *Ethics, Governance, and Bankruptcy After Enron* (April 2003).
- The University of Texas School of Law CLE: The 21st Annual Bankruptcy Conference & Personal Injury Conference, *Debtor Wrongdoing: Ethical Implications for Lawyers* (November 2002).
- National Association of Bankruptcy Trustees, Annual Conference, *What's Wrong With Us???—A Fascinating Look at Ourselves, Through the Eyes of Judges and Others* (August 2002).
- 10th Annual Southwest Bankruptcy Conference, American Bankruptcy Institute, *A Look Inside the Mega-Case* (September 2002).
- 20th Annual Bankruptcy Conference, University of Texas Law School, *Bankruptcy Ethics—How Do We Find Out What We're Doing Wrong (Or Right)?* (November 2001).
- Annual Meeting of National Conference of Bankruptcy Judges, *Tell Me What You Really Want—How Behavior (On Both Sides of the Bench) Can Impact Your Case* (October 2001).
- Winter Leadership Conference, American Bankruptcy Institute, *Bankruptcy Ethics* (December 2000).
- Twenty-Fourth Annual Bankruptcy Law & Practice Seminar, Stetson University College of Law, *Ethical Problems: Dual Representation in Chapter 11*, and *Ethics: Pre-Bankruptcy Planning and Ethical Limitations* (December 1999).
- Annual Meeting of National Conference of Bankruptcy Judges, *Disinterestedness and the Chapter 11 Professional* (October 1997).
- Eastern District of Pennsylvania Bankruptcy Conference, *Bankruptcy Issues* (January 1996, January 1997, January 1998, and January 1999).

Social science generally / social science and ethics

- International Conference of Shopping Centers, U.S. Law Conference, *Ethics Wise and Wonderful: Traditional Rules, Modern Trends* (general session) (with John G. Cameron, Jr.) (October 2022).
- The Annual CLLA Luncheon at the National Conference of Bankruptcy Judges, *Brave New World: Ethics Issues That We Never Knew We Had* (October 2022).
- *Teams, Cognitive Errors, and Legal Ethics*, International Council of Shopping Centers, U.S. Law Conference (October 2020) (general session) (virtual presentation).

- Southeastern Bankruptcy Law Institute, *Life in the Time of COVID: Ethical Issues Facing Attorneys During the Pandemic* (with Judges Bess Creswell and James Sacca and George L. Washington, Jr.) (May 2021).
- National Association of Chapter 13 Trustees, 54th Annual Meeting, *Ethics and Professionalism: Why Lawyers Do Dumb Things—The Social Science Reasons* (plenary session) (with Mary K. Viegelahn) (July 2019).
- *What Social Science Can Teach Us About Good People and Bad Choices* and *Images of Lawyers in Film: Legal Ethics and the Movies*, 2018 American Bankruptcy Institute Midwest Regional Seminar (August 2018).
- 2017 Mutual Funds and Investment Management Conference, *Building Successful and Ethical Teams* (March 2017).
- National Association of Estate Planners' 52nd Annual Conference, *Nudging More Ethical Behavior Through Incentives and Checklists* (November 2015).
- The Eugene Kuntz Conference on Natural Resources Law and Policy, *Nudging Better Behavior: How Social Science Can Help Us Make Better Decisions* (November 2015).
- Institute for Energy Law, 66th Annual Oil & Gas Conference, "Nudging" Better Behavior (February 2015).
- National Association of Estate Planners and Councils, 50th Annual Conference, *Social Science, Human Error & Behavior* (November 2013).
- ABA Annual Meeting, Business Law Section, *Cognitive Biases, Blind Spots, and Other Impairments of Ethical Vision: How Good Lawyers Can Go Astray* (with Dr. Larry Richard, James Jones, and Charles McCallum) (August 2013).

Judicial ethics

- Federal Judicial Center Workshop for Bankruptcy Judges, *(NOT) Ripped from the Headlines: Navigating Ethical Issues and Instilling Public Confidence in the Judicial System* (with the Hon. Christopher M. Alston, the Hon. D. Sims Crawford, and the Hon. Michele J. Kim) (plenary sessions) (April 2022; July 2022).
- Federal Judicial Center Workshop for Bankruptcy Judges, *Judicial Ethics—Words Matter* (with the Hon. John Hoffman, Jr. and the Hon. Peter W. Bowie (Ret.)) (plenary sessions) (April 2021; July 2021).
- Federal Judicial Center, *Judicial Ethics* (with the Hon. Peter Bowie, the Hon. Arthur Federman, and Prof. Elizabeth Thornburg) (plenary sessions) (April 2013; August 2013).
- College for New Judges, Texas Center for the Judiciary, *Images of Judges in Movies* (December 2002 & November 2003).

Corporate ethics

- Summit for Corporate Governance, *"If You Don't Know, Now You Know": A Guide to a Board's Role in Managing (Unexpected) Risk in the Aftermath of the COVID-19 Pandemic* (with Michael J. Bonner, John Holland, and Jordan Rae Kelly) (September 2021).

- Boyd School of Law Summit on Corporate Governance, in partnership with Greenberg Traurig, LLP: *Asleep at the Switch: Lessons Learned from the Failure of Board Oversight In Recent Corporate Scandals and Cybersecurity Gaffes* (moderator, with panelists Cuneyt Akay, Paul Ferrillo, and Jordan Kelly, *Not Too Much, Not Too Little: What is Just Right?: Challenges Faced in Executive and Board Compensation* (with co-panelist Laura Wanlass and moderator Flora Perez (November 2019).
- Department of Energy & Contractor Attorneys' Association, Inc.'s Annual Meeting, *Ethics in the Corporate World* (May 2009).
- *Lessons To Be Learned From the Rise and Fall of High-Profile Corporate Entities—The Scandals—How to Identify Red Flags in Revenue Reporting and Financial Statements* (NACD Houston Chapter, Sept. 2004) (with Bala G. Dharan and Steven C. Currall).
- State Bar of Texas Annual Meeting, Business Law & Corporate Counsel Sections, *Moral Independence of Lawyers vs. Moral Interdependence* (June 2003).
- Southeastern Finance Association and Southern Academy of Legal Studies, *Corporate Scandals (Enron, Andersen, Tyco & World Com)—What Went Wrong?* (keynote speaker) (March 2003).
- The University of Texas School of Law CLE: The 24th Annual Corporate Counsel Institute, *Conflicts, Ethical Duties and Independence: Lessons from Enron* (August 2002).
- NASA National Managers Association, *Lessons in Character from Enron* (April 2002).
- The University of Texas School of Law CLE: The 25th Annual Page Keeton Products Liability & Personal Injury Conference, *Dressed for Excess* (November 2001).

Women

- Gardere Women's Council Ethics CLE, keynote speaker, *Women on Boards* (June 2013).
- State Bar of Texas Annual Meeting, Women & the Law Section, *Images of Women Lawyers in the Media* (June 2003).

Miscellaneous

- Emanuel Bar Review Lecturer (2008-2010).
- BAR/BRI, lecturer on *Succeeding in Law School* (2002-2006).

Selected media appearances

- Appearances on a variety of local, national, and international news broadcasts, and in local, national, and international news articles, on various bankruptcy, corporate law, and other legal issues, including the Enron bankruptcy case, the Arthur Andersen trial, and the Anna Nicole death (December 2001-present).
- Appeared in Academy Award®-nominated documentary, *Enron: The Smartest Guys in the Room* (Magnolia Pictures 2005).

Special training

- Attended three Harvard Institutes of Higher Education leadership programs (IEM in 2016, MLE in 2002, and MDP in 1999).
- Attended STAR: A Systematic Approach to Mediation Strategies, Straus Institute for Dispute Resolution, Pepperdine University School of Law (June 2008) (attended on a grant from Pepperdine).

Contributor to the following blogs

- ABOVE THE LAW, <https://abovethelaw.com/>.
- NANCY RAPOPORT'S BLOG, <https://nancyrapoports.blog/>.
- NANCY RAPOPORT'S BLOGSPOT (former blog), <http://nancyrapoport.blogspot.com/>.
- LAW SCHOOL SURVIVAL MANUAL, <http://lawschoolsurvivalmanual.blogspot.com/>.
- CORPORATE SCANDAL WATCH, <http://corporatescandalwatch.blogspot.com/>.
- UNLV LAW BLOG, Contributing Editor, <http://unlvlawblog.blogspot.com>.
- MONEYLAW, Contributing Editor, <http://money-law.blogspot.com/>.
- LEGAL PROFESSION, Contributing Editor:
http://lawprofessors.typepad.com/legal_profession/.
- JURIST, Contributing Editor, <http://jurist.law.pitt.edu/>.
- CREDIT SLIPS, Guest Blogger, <http://www.creditslips.org/>.
- THE FACULTY LOUNGE, Guest Blogger, <http://www.thefacultylounge.org/>.
- THE CONGLOMERATE, Guest Blogger, <http://www.theconglomerate.org/>.
- FEMINIST LAW PROFESSORS, Guest Blogger, <http://feministlawprofs.law.sc.edu/>.
- RACE TO THE BOTTOM, Guest Blogger, <http://www.theracetothetbottom.org/home/>.

HONORS, BAR ADMISSIONS, MEMBERSHIPS, AND COMMUNITY SERVICE

Selected honors

- Recipient of the 2022 UNLV Alumni Association's Outstanding Faculty Member of the Year Award.
- Named a UNLV Distinguished Professor in 2022.
- ABI Task Force For Veterans and Servicemembers' Affairs Challenge Coin (2019).
- Recipient of one of the NAACP Legacy Builder Awards (Las Vegas Branch #1111) (2018).
- Commercial Law League of America's Lawrence P. King Award for Excellence in Bankruptcy (2017).
- Inducted into Phi Kappa Phi, Chapter 100 (2017).
- Southeastern Bankruptcy Law Institute Distinguished Visiting Scholar (week-long visits at Georgia State College of Law) (2011).
- 2008 Public Service Counsel of the Year, 4th annual event, Association of Media and Entertainment Counsel (2009).

- Fellow, American College of Bankruptcy (2005-present) (Class 16).
- Named a “Woman of Vision” by the Houston Delta Gamma Foundation (2004).
- Admitted to American Leadership Forum, Class XXII (2004). Withdrew due to family illness.
- Named “Best Local Girl Made Good,” HOUSTON PRESS, September 25, 2003, at 24.
- Fellow, American Bar Foundation (2002-present; Life Fellow since 2015).
- Rice University Distinguished Alumna (2002).
- Named by the Greater Houston Area Chapter of the National Council of Jewish Women as a “Woman of Influence” (2001).
- Elected to membership in the American Law Institute (2001).
- Named a Legal Pioneer for Women in the Law (first woman to serve as the dean of a Nebraska law school), Nebraska State Bar Association (2000).
- Louis Nemzer Memorial Lecture (yearly lecture honoring a Jewish member of the Ohio State faculty) (1998).
- Outstanding Professor of the Year, The Ohio State University College of Law (third-year students voting) (co-winner, with Professor Barbara Rook Snyder) (1997).

Bar admissions

- United States District Court, District of Nevada (2009).
- Nevada Supreme Court (2007).
- United States District Court, Northern District of Texas (2003).
- Texas Supreme Court (2001).
- United States Supreme Court (2000).
- Nebraska Supreme Court (1999).
- Ohio Supreme Court (1993).
- United States District Court for the District of Hawaii (1988).
- California Supreme Court (1987).
- United States Court of Appeals for the Ninth Circuit (1987).
- United States District Courts for the Northern, Eastern, Central, and Southern Districts of California (1987).

Editorial boards

- Advisory Board, Bankruptcy and Restructuring Service, PRACTICAL LAW INSTITUTE (2024-present).
- AMERICAN BANKRUPTCY LAW JOURNAL ADVISORY BOARD (three-year term, starting in 2023).
- THE BUSINESS LAWYER (2014-present).
- REYNOLDS COURTS & MEDIA LAW JOURNAL (2011-2013).
- Association of American Law Schools, JOURNAL OF LEGAL EDUCATION (2007-2010).
- State Bar of Texas, TEXAS BAR JOURNAL Board of Editors (2003-06); State Bar of Texas, TEXAS BAR JOURNAL, Editorial Board Committee (2001-2004).

- CALIFORNIA BANKRUPTCY JOURNAL (1995-2002).

Selected board memberships

- Nevada Conservatory Theatre Advocacy Board (2024-present).
- Claremont Graduate University Board of Trustees (2021-present) (serving on Academic Affairs, Audit, and Student Success committees, 2021-23); Vice-Chair, Audit and Risk Management Committee, 2022-2023); Chair, Audit and Risk Management Committee (2023-present).
- Setona Sub-HOA Board (President, 2021-present).
- Rice University, External Advisory Board, Center for Teaching Excellence (2019-present); Chair (2022-present).
- Nevada Board of Bar Examiners (2018-2020).
- Economic Club of Las Vegas (2017-2023).
- National Museum of Organized Crime & Law Enforcement (“The Mob Museum”) (2013-2022); Secretary of the Board (2016-2022); Member, Advisory Council (2022-present).
- JURIST Board of Directors (<http://jurist.law.pitt.edu/>) (2008-2014).
- American Bankruptcy Institute Board of Directors (2008-2017); Executive Committee (2012-2016); Vice President of Research Grants (2013-2016).
- American Board of Certification (board certification for bankruptcy lawyers) (2007-2014) (Dean of Faculty, 2011-2013).
- Association of Rice Alumni Board (2006-2009).
- NALP Foundation for Law Career Research and Education (2005-2009).
- Texas Center for Legal Ethics (2004-2006).
- Texas Supreme Court Historical Society (2004); Advisory Board (2004-2006).
- Vinson & Elkins Women’s Initiative Advisory Board (2003-2010).
- Houston Area Women’s Center (2003-2006).
- Advisory Council Member, WWW United, Inc. (2002-2006).
- Texas Environmental Health Institute (a joint project of the Texas Department of Health & the Texas Natural Resource Conservation Commission, which is the Texas Commission on Environmental Quality (TCEQ)) (2002-2004).
- Houston World Affairs Council (2002-2005).
- Houston Hillel (2002-2007).
- Mayor’s Advisory Board of World Energy Cities Partnership (2001-2004).
- Houston Disaster Relief Advisory Board (2001-2004).
- Houston Chapter of the Texas General Counsel Forum (2001-2005).
- Anti-Defamation League Southwest Regional Board (2001-2006).
- Law School Admission Council Board of Trustees (2001-2004).

Selected service activities and memberships

- Advisor, Dance Vision Foundation (2023-present).
- Member, Turnaround Management Association (2023-present).

- Member, Grapevine's Henderson Women for Good (2023-present).
- Member, Foundational Subject Requirement and Performance Test Task Force, Nevada Supreme Court Bar Licensing Commission (2023-present).
- Member, American Bar Association's Business Law Section, Corporate Governance Committee, Academic Affairs Subcommittee (2022-present).
- Member, Association of Professional Responsibility Lawyers (2022-present; 2014-16).
- Co-Chair (with Joseph R. Tiano, Jr.) of SALI Bankruptcy Working Group (developing a bankruptcy taxonomy (2021-present) (sali.org).
- Member, Operation Stand-By, militaryprobono.org (2021-present).
- Secretary and Reporter, American Bankruptcy Institute's Task Force for Veterans and Servicemembers Affairs (2018-present).
- Member, Federal Bar Association's Professional Ethics Committee (2018-present); Ethics Hotline subcommittee (2018-2019); Co-Chair, Speakers' Bureau, 2019-present).
- Member, Heterodox Academy (2017-present).
- Member, Society for Applied Anthropology (2017-present).
- Member, National Association of Legal Fee Analysts (2014-2018) (resigned).
- Member, Association of Professional Responsibility Lawyers (2014-2016).
- Member, Law School Admission Council Diversity Retention Workshop 2015 Planning Work Group (2014-2015).
- Member, Federalist Society (2013-present).
- Member, Federal Bar Association (2012-present).
- Member, Advisory Committee to the American Bankruptcy Institute's Commission to Study the Reform of Chapter 11 (2012-2015) (Governance Subcommittee).
- Co-Reporter, American Bankruptcy Institute's National Ethics Standards Task Force (2011-2013).
- Co-Chair, American Bankruptcy Institute's Task Force on Young and New Members (2011-2012).
- Association of Media and Entertainment Counsel, Law School Section (Co-Chair, 2010-2011; member and temporary Co-Chair, 2012-2013); member, Law School Advisory Board (2014); Chair, Law School Advisory Board (January 2018-present).
- American Bar Association, Section on Legal Education, Committee on Law School Administration (2008-2010); Chair-Elect (2010); Chair (2011-2013).
- American Bar Association, Section on Business Law, Committee on Corporate Counsel, Subcommittee on Corporate Governance (co-chair, with Roberta Torian) (2007-2010).
- Advisory Committee, American Bankruptcy Institute's consumer bankruptcy fee study (advisor to Professor Lois Lupica) (2008-2011).
- Rice Alumni Volunteers for Admission (2007-present) and liaison for RAVA to Association of Rice Alumni Board (2007-2009); involved in Rice Annual Fund solicitations since 2007.
- Advisory Committee, American Bankruptcy Institute's Chapter 11 fee study (advisor to Professor Stephen Lubben) (2005-2007).
- American Bankruptcy Institute's Task Force on Pro Bono (2007).
- American Bar Association's Task Force on Attorney Discipline (2005).

- Planning committee for 2007 Annual Meeting of Association of American Law Schools, *Workshop on The Ratings Game* (2006-2007).
- City of Houston Mayor's Pension Governance Advisory Committee (2004-2006).
- American Bar Association, Advisory Group on Loan Repayment, Standing Committee on Legal Aid & Indigent Defendants (SCLAID) (2003-2006).
- Faculty member, ABA New Deans' School (May-June 2003, June 2004, and June 2005).
- Advisory Committee, Baylor College of Medicine-UH Law Center MD/JD Program (2004-2006).
- Academic advisor, National Governmental Affairs Committee, Commercial Law League of America (CLLA) (2002-2006).
- Co-chair (with Dean Stuart Deutsch), ABA Deans' Workshop (for mid-year ABA meeting in 2003).
- Advisory Committee, *The Birth of the Dot-Com Era*, project for the Library of Congress (Project Manager, Prof. David Kirsch, University of Maryland) (advising the Library of Congress on what to do with the records of now-defunct law firm of Brobeck, Phleger & Harrison) (2004-2007).
- National Association of Corporate Directors (2004-2006).
- Commercial Law League of America, Professional Responsibility Committee (2003-2005).
- Member, ABA Commission on Loan Repayment & Forgiveness (2001-2003).
- Member, AALS Professional Development Committee (2000-2003).
- Communication Skills Committee, ABA Section of Legal Education and Admissions to the Bar (1998-2002).
- Chair, AALS Planning Committee for the *Mini-Workshop on Major Issues of the 21st Century: the Impact on the Legal Academy and Law Students* (1999-2000).
- Member, Law School Admission Council (LSAC) Services & Programs Committee (1999-2000), Workgroup on Alternative Admissions Models (2000-2003), and Gay, Lesbian, Bisexual & Transgendered Issues Workgroup (2000-2001).
- Nebraska State Bar Association (1999-present).
- National Association of College & University Attorneys (1998-2006).
- Commercial Law League of America (1998-present).
- Ohio State Bar Association (1997-present).
- American Bankruptcy Institute (1994-present).
- AIDS Legal Referral Panel of the Bar Association of San Francisco (1989-91).
- Bar Association of San Francisco (1987-91).
- American Bar Association (1987-present).

EXPERT AND EXPERT WITNESS ACTIVITY

- Expert for Fresh Mix, LLC in *Fresh Mix, LLC v. Pisanelli Bice, PLLC et al.*, District Court, Clark County, NV (Case No. not yet set) (2024-present).

- Court-appointed ethics monitor for the purchaser in *In re* The Litigation Practice Group P.C., Case No. 8:23-bk-10571, United States Bankruptcy Court, Central District of California (2023-present).
- Expert for Sabre Holdings Corporation in *U.S. Airways for American Airlines as Successor and Real Party in Interest vs. Sabre*, 1-11-cv-02725 (S.D.N.Y.) (2023-present).
- Expert for Legal Aid Center of Southern Nevada in *In the Matter of the Guardianship of the Person and Estate of Katherine June Jones*, Case No. G-19-, 052263-A, District Court, Clark County, Nevada (2023-2024).
- Expert for McDermott Will & Emery LLP in *In re* Power Property Management, Cause No. DC-19-00695, 134th Judicial District Court, Dallas County, Texas (2023-present).
- Expert for McDonald Carano LLP in *4R4 Sons, LLC, Horizon Kids dba Kidz, Kidz, Kidz v. Tru G. Wilhelm, Inc. and counterclaim Tru G. Wilhelm v. Horizon Kidz, 4R4 Sons, LLC, Chrisetta M. Rush and Arthur T. Rush, individually and in their capacities as trustees of the Rush Family Revocable Trust* (2022-present).
- Expert for Shumaker, Loop & Kendrick, LLP, in *Adela 117, LLC v. JP Morgan Chase Bank*, Case No. 2021-CF-004270-NC, Circuit Court of the Twelfth Judicial Circuit in and for Sarasota County, Florida (2022-2023) (testified at deposition and at trial).
- Expert for The Claro Group in *In re* Diocese of Camden, New Jersey, Case No. 20-21257, United States Bankruptcy Court, District of New Jersey (2022-present).
- Expert for Lowenstein Sandler LLP in *In re* Diocese of Camden, New Jersey, Case No. 20-21257, United States Bankruptcy Court, District of New Jersey (2022).
- Expert for Wynn Resorts and Orrick Herrington & Sutcliffe LLP in *Nielsen v. Wynn Resorts, Ltd.*, Case No. A-19-803879-C, Eighth Judicial District Court, Clark County, NV (2022-2023).
- Expert for Lipson Neilson PC in *Estate of Tony Hsieh v. Premsrirut*, Clark County District Court, Case No. A-22-847455-B, Las Vegas, NV (2022-present).
- Expert for Shumaker, Loop & Kendrick, LLP, in *Adela 117, LLC and Newport Sports Mgmt., Inc. v. JPMorgan Chase Bank et al.*, Case No., 2021-CA-004270-NC, Circuit Court of the Twelfth Judicial Circuit in and for Sarasota County, Florida (2022).
- Expert for Krevolin & Horst Law Firm in *Blackhall Real Estate, LLC v. Smith*, JAMS Arbitration No. 1440007245, Atlanta, Georgia (2021).
- Expert for the United States Trustee in *In re* Star Mountain Resources, Inc., Case No. 2:18-bk-01594-DPC, United States Bankruptcy Court for the District of Arizona (2021).
- Expert for the Chapter 7 Trustee in *In re* Green-Light International, LLC, Case No. 2:17-bk-18265-BB, United States Bankruptcy Court for the Central District of California (2021).
- Consultant for law firms regarding a disclosure issue (2021).
- Expert for Beasley Allen Law Firm in *In re* Imerys Talc America, Inc., Case No. 19-10289, United States Bankruptcy Court for the District of Delaware (2020-present) and *In re* LTL Management LLC, Case No. 21-30589, United States Bankruptcy Court for the Western District of North Carolina, transferred to the United States Bankruptcy Court for the District of New Jersey (2021-present).
- Expert for Bonds Ellis Eppich Schafer Jones LLP in *In re* Highland Capital Management, L.P., Case No. 19-34054, United States Bankruptcy Court for the Northern District of Texas (2020).

- Fee examiner in *In re* Zetta Jet USA, Inc. (2:17-bk-21386-SK) and *In re* Zetta Jet PTE, Ltd., Case No. 2:17-bk-21387-SK, United States Bankruptcy Court for the Central District of California—Los Angeles Division (2020-present).
- Expert for Sidley Austin LLP in *In re* Boy Scouts of America and Delaware BSA, LLC, United States Bankruptcy Court for the District of Delaware, Case No. 20-10343 (LSS) (2020-2022) (testified at hearing in 2020; testified in arbitration in 2022).
- Expert for Porter Hedges LLP in *In re* McDermott Int'l, United States Bankruptcy Court for the Southern District of Texas, Case No. 20-30336 (DRJ) (2020-present).
- Expert for Diamond McCarthy LLP and Snow Covered Capital, LLC in Snow Covered Capital, LLC v. Weidner, United States District Court for the District of Nevada, Case No. 2:19-cv-00595-JAD-NJK (2019-2023) (testified at deposition).
- Expert for The Richter Firm and Shumaker, Loop & Kendrick in Wise v. Smith et al., Court of Common Pleas, State of South Carolina, Case No. 2019-CP-3300017 (2019-2020) (testified at deposition).
- Independent monitor for UpRight Law (2018-2023).
- Fee examiner in *In re* Toys “R” Us Property Company I, LLC, United States Bankruptcy Court for the Eastern District of Virginia, Case No. 18-31429 (KLP) (2018-2019).
- Fee examiner in *In re* Toys “R” Us, Inc., United States Bankruptcy Court for the Eastern District of Virginia, Case No. 17-34665 (KLP) (2018-2019).
- Expert for the Trustee in two *In re* ICPW Liquidation Corp. cases, United States Bankruptcy Court for the Central District of California, Case Nos. 1:17-bk-12408-MB and 1:17-bk-12409-MB (2018).
- Expert for Hoover Slovacek LLP in Midstates Petroleum Company v. Production Specialists, Inc. dba Regal Oilfield Sup., United States Bankruptcy Court for the Southern District of Texas, Case No. 4:16-bk-32237 (2017-2019).
- Expert for Panish Shea & Boyle LLP in Moradi v. Nevada Property 1, LLC, District Court, Clark County, Nevada, Case No. A-14-698824-C (2017).
- Expert for Diamond State Insurance Company in Gieseke v. Diamond State Insurance Company, U.S. District Court for the District of Nevada, Case No. 3:16-cv-00103-MMD-WGC (2016).
- Expert for Mar-Bow Value Partners, LLC, and Lakeview Capital, Inc., on a confidential matter involving Federal Rule of Bankruptcy Procedure 2014 (2016-present).
- Independent member of Fee Committee, *In re* Caesars Entertainment Operating Co., Inc., U.S. Bankruptcy Court, Northern District of Illinois, Case No. 15-01145 (ABG) (2015-2018).
- Expert for Craig Marquiz in Home Gambling Network, Inc. v. Piche, United States District Court for the District of Nevada, Case No. 2:05-cv-00610-DAE-VCF (2015).
- Expert for the Debtor in *In re* The Catholic Bishop of Spokane, a/k/a The Catholic Diocese of Spokane, United States Bankruptcy Court, Eastern District of Washington, Case No. 04-08822-FPC11 (2014).
- Expert for the Trustee in *In re* Fundamental Long Term Care, Inc., United States Bankruptcy Court, Middle District of Florida, Case No. 8:11-bk-22258-MGW (2014-2015) (testified at deposition and at trial).

- Expert for the Liquidating Trustee in Mukamal v. Fulbright & Jaworski L.L.P. (*In re* Palm Beach Finance Partners, L.P. and Palm Beach Finance Partners II, L.P.), United States Bankruptcy Court, Southern District of Florida, Case No. 09-36379-BKC-PGH (2014) (withdrew due to scheduling issues).
- Expert for the law firm of Lipson Neilson Cole Seltzer Garin, P.C. in a case involving conflicts of interest (2014).
- Consultant for the Liquidating Trust for *In re* Residential Capital, LLC, United States Bankruptcy Court, Southern District of New York, Case No. 12-12020 (MG), regarding the reasonableness of fees (2014).
- Expert for the law firm of Frank J. Cremen in Grievance File #SG 1-1156, State Bar of Nevada (2013-2014) (testified at hearing).
- Expert for Irell & Manella LLP, in State of Nevada v. Gary Trafford, et al., Clark County District Court, Case No. C-11-277573-1 (2013).
- Expert for a Nevada law firm (firm and client names kept confidential) in a matter involving attorney disciplinary procedures (2012).
- Expert for the Fee Examiner in Matter of Lehman Brothers Holdings, Inc., U.S. Bankruptcy Court, Southern District of New York, Case No. 08-13555-jmp (2012).
- Expert for the Fee Examiner in *In re* Motors Liquidation Co. (f/k/a General Motors Corp.), U.S. Bankruptcy Court, Southern District of New York, Case No. 09-50026 (2011-2012).
- Expert for Alverson Taylor Mortensen & Sanders in Stanish et al. v. Catholic Healthcare West, Nevada District Court, Clark County, Case No. A-11-639674-C (2011).
- Fee examiner in *In re* Station Casinos, Inc., U.S. Bankruptcy Court, District of Nevada, Case Nos. BK-09-52477 through BK-11-51219 (2011).
- Expert for the Office of the United States Trustee in three cases: *In re* Mark Andrew Brown, U.S. Bankruptcy Court, Western District of Maryland, Case No. 09-44254-jwv7; *In re* Tracy L. Quarm, U.S. Bankruptcy Court, Northern District of Ohio, Case No. 09-20498; and *In re* John W. Young, U.S. Bankruptcy Court, Northern District of Ohio, Case No. 10-11404 (2010) (testified in discovery depositions and at trial; deposition and trial testimony done via videotape).
- Expert for the Trustee in The Pappg Grantor Trust v. Scott (*In re* Baltimore Emergency Services II, LLC, et al.), U.S. Bankruptcy Court, District of Maryland, Adversary No. 03-8294-esd (2010).
- Expert for Lionel, Sawyer & Collins in Michael Racusin v. Lionel Sawyer & Collins, American Arbitration Association, Case No. 79 194 Y 00108 08 (2009-2010) (testified in arbitration).
- Expert for the Reorganized Debtor in *In re* ASARCO, LLC, et al., U.S. Bankruptcy Court, Southern District of Texas, Case No. 05-21207 (2010) (testified at trial).
- Expert for BuckleySandler LLP in Pulte Homes, Inc. v. Terry Goddard, In His Official Capacity as Attorney General for the State of Arizona and Catherine Cortez Masto, In Her Official Capacity as Attorney General for the State of Nevada, D.C. Circuit, Civil Action No. 1:10-cv-00377 (2010).
- Court's fee expert and chair of the Fee Review Committee in *In re* Pilgrim's Pride Corp., U.S. Bankruptcy Court, Northern District of Texas, Case No. 08-45664 (DML) (2009-2010) (testified at hearing).

- Expert for plaintiff in *Judy M. Jackson, M.D. v. Ira Levine et al.*, Nevada District Court, Clark County, Case No. A538983 (2009-2010) (testified in deposition and at trial).
- Expert for the Trustee in *Asset Funding Group, L.L.C., Scobar Adventures, L.L.C., AFG Investment Fund 2, L.L.C., and HW Burbank, L.L.C. v. Adams and Reese, L.L.P.*, U.S. District Court, Eastern District of Louisiana, Case No. 07-2965 (2009) (testified in deposition; made available for trial, but case settled).
- Expert for Clausen Miller in *In re Raymond Professional Group, Inc.* (Raymond Professional Group, Inc. v. William A. Pope Company), Adv. No. 07-A-00639, U.S. Bankruptcy Court, Northern District of Illinois (2008-2009) (testified in deposition and at hearing).
- Expert for the plaintiff in *Todd v. Guidance Software, Inc.*, U.S. District Court, Central District of California, Case No. SACV 08-1354 JVS (ANx) (2008-2009).
- Expert for the Debtor in *Sports Shinko Co. v. Franklin K. Mukai*, U.S. District Court, D. Hawaii, Case No. CV 04-00127 ACK/BMK (2007-2008).
- Expert for the Trustee in *In re Mego Financial Corp., et al.*, U.S. Bankruptcy Court, D. Nev., Case Nos. BK-N-03-52300-GWZ through BK-N-03-52304-GWZ and BK-N-03-52470-GWZ through BK-N-03-52474-GWZ (2007-2008) (testified at deposition).
- Expert for Pillsbury Winthrop in *In re SONICBlue Incorporated*, U.S. Bankruptcy Court, Northern District of California, Case Nos. 03-51775 through 03-51778 MM (2007) (made available to testify in court early in the case; did not testify).
- Expert for the Trustee in *In re Southwest Florida Heart Group, P.A.*, U.S. Bankruptcy Court, Middle District of Florida, Case No. 9:05-bk-17167-ALP (2007) (testified in deposition).
- Expert for Beirne, Maynard & Parsons in *Brazos Electric Power Cooperative, Inc. v. Tenaska IV Texas Partners and related cases* (2003-2004; 2006-2007) (testified in depositions).
- Expert for Beirne, Maynard & Parsons in *Hicks v. Charles Pfizer & Co.*, U.S. District Court, Eastern District of Texas, Civil Action No. 1:04CV201 (2006).
- Expert for Benjamin Hall, Esq., in *Costilla Energy, Inc.*, by and through its litigation trustee, *George Hicks v. Joint Energy Development Investments II*, 49th Judicial District, Zapata County, Texas (2006-2008) (testified in deposition).
- Expert for Winstead, Secrest & Minick in an issue involving conflicts of interest (2005).
- Expert for Beckley, Singleton in *Fremont Investment & Loan v. Beckley Singleton, Chtd. and Sidney Bailey*, U.S. District Court, D. Nevada, Case No. CV-S-03-1406-JCM-RJJ (2003) (2005-2006) (testified in deposition).
- Expert for the debtor in *In re ACandS, Inc.*, U.S. Bankruptcy Court, D. Delaware, Case No. 02-12687 (2004-2005) (testified at hearing).
- Court's fee expert and chair of the Fee Review Committee in *In re Mirant Corporation*, U.S. Bankruptcy Court, Northern District of Texas, Case No. 03-46590 (2003-2006; 2011-2012) (testified in deposition and at hearing).
- Expert witness for Latham & Watkins regarding Section 414 of H.R. 333 (changes in "disinterestedness" standard of 11 U.S.C. § 101(14)) (March-April 2003).
- Expert witness for the Office of Disciplinary Counsel, *In re Charles William Ewing*, Case No. 97-5, before the Board of Commissioners on Grievances and Discipline of the Bar of the Supreme Court of Ohio (1998).

PUBLIC TESTIMONY

- Testified at the June 2012 public meeting of the United States Trustee Program regarding the proposed new fee guidelines for larger chapter 11 cases (testimony available at http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/proposed/Prof_Rapoport_Comment.pdf, http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/proposed/Prof_Rapoport_SupplementalComment.pdf, and http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/proposed/Prof_Rapoport_Comment2.pdf; transcript available at http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/proposed/Transcript_June4_Public_Meeting.pdf; Director Clifford J. White III's statement on the adopted guidelines, available at http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/Fee_Guidelines_Cliff_White_Statement.pdf).

ADVICE COLUMN

- “Ms. Ps and Qs”: ethics advice column for the National Association of Chapter 13 Trustees (2011-present).

SELECTED AMICUS BRIEFS

- *Brief Amici Curiae of Bankruptcy Experts in Support of Respondents*, Truck Ins. Exch. v. Kaiser Gypsum Co., Inc., Case No. 22-1079, United States Supreme Court (Jan. 31, 2024).
- *Brief for Amici Erwin Chemerinsky and Other Legal Scholars in Support of Appellees*, Aearo Technologies, LLC v. Those Parties Listed on Appendix A to the Complaint and Jane & Jane Does, 1-1000 (In re Aearo Technologies, LLC), United States Court of Appeals for the Seventh Circuit, Case No. 22-2606 (Feb. 1, 2023).
- *Brief of 83 Legal Ethics Professors as Amici Curiae in Support of Hearing En Banc*, United States v. Varner, United States Court of Appeals for the Fifth Circuit, Case No. 19-40016 (Mar. 20, 2020).
- *Amicus Brief of Neutral Fee Examiners Supporting Neither Party*, Baker Botts L.L.P. v. ASARCO LLC, Case No. 14-103, United States Supreme Court (Dec. 10, 2014), 2014 WL 6984132.
- *Brief of Amici Curiae*, In re David Marshall Brown, Case No. 12-Cv-60016-KAM, United States District Court, Southern District of Florida (filed by co-counsel George Castrataro) (April 11, 2012), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2038267.
- *Brief in Support of Respondent for Amici Curiae Professors Richard Aaron, Laura Beth Bartell, Jagdeep S. Bhandari, Susan Block-Lieb, Robert D'Agostino, Jessica Dawn Gabel, Kenneth N. Klee, George W. Kuney, C. Scott Pryor, Nancy B. Rapoport, Marie T. Reilly, Lynne F. Riley, Keith Sharfman, and Michael Sousa*, RadLAX Gateway Hotel, LLC and RadLAX Gateway Deck, LLC v. Amalgamated Bank, Case No. 11-166, United States Supreme Court (March 5, 2012).

- *Brief of Legal Ethics Professors and Practitioners and the Ethics Bureau at Yale as Amici Curiae in Support of Petitioner*, Maples v. Thomas, Case No. 10-63, United States Supreme Court (May 25, 2011).
- *Brief of Amicus Curiae*, Warren v. Seidel, United States District Court for the District of Ohio, Case No. 2:10-cv-01049-MHW (2010), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1843496.
- *Brief of 30 Leading Ethicists as Amici Curiae in Support of the Petitioner*, Charles Dean Hood v. State of Texas, Case No. 09-8610, United States Supreme Court (February 18, 2010), available at 2010 WL 638469.
- *Brief of Amicus Curiae*, Danny Joe McClure and Kimberly Deskins McClure, Plaintiffs, v. Bank of America, Creditors Financial Group, LLC, and Peter Rebelo, Defendants, Bankr. N.D. Tex. 2010, Adv. No. 08-04000-DML, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1550353.

PERSONAL INFORMATION

- Native Texan (born in Bryan, Texas).
- Married to Jeffrey D. Van Niel; no children; two cats (Diana Prince and Shadow Grace).

Joseph R. Tiano, Jr.
 10150 East Cortez Drive
 Scottsdale, AZ 85260
 Office telephone: (703) 237-1313
 Mobile telephone: (202) 431-4500
jtiano@legaldecoder.com

UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

)	Case No. 23-30564
In re:)	
)	Chapter 11
THE ROMAN CATHOLIC ARCHBISHOP)	
OF SAN FRANCISCO,)	DECLARATION OF
Debtor and Debtor in Possession.)	DISINTERESTEDNESS
)	OF JOSEPH R. TIANO, JR.,
)	INDIVIDUALLY AND ON
)	BEHALF OF LEGAL DECODER, INC.

I, Joseph R. Tiano, Jr., pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true to the best of my knowledge, information, and belief:

1. I am currently the Chief Executive Officer of Legal Decoder, Inc., which I founded in 2014 after having practiced law in private practice on a full-time basis since 1995. My current residential address is 10150 East Cortez Drive, Scottsdale, Arizona 85260. Legal Decoder, Inc.'s principal place of business is located at 105 North Virginia Avenue, Suite 204, Falls Church, Virginia 22046.

2. I am an attorney and have been admitted and am in good standing in the following jurisdictions: State of Connecticut (1995, inactive status); Commonwealth of Virginia (1999, inactive status) and the District of Columbia (2004, active status). I have served as the Chief Executive Officer of Legal Decoder, Inc. on a full-time basis since I founded it in 2014. Prior to Legal

DECLARATION OF JOSEPH R. TIANO, JR. - 1

1 Decoder, Inc., I practiced law as a corporate/transactional partner with Pillsbury Winthrop Shaw
2 Pittman (2008-2014), as a partner and an associate with Thelen (2003-2008), as Counsel with Akin
3 Gump (2001-2003), as an associate with Greenberg Traurig (1999-2001) and as an associate with
4 Tyler Cooper & Alcorn after graduating from law school in 1995. I received my undergraduate
5 degree from Georgetown University (B.S.B.A., 1992) and my law degree from University of
6 Pittsburgh Law School (J.D., with honors, 1995). As a lawyer in private practice, my primary areas
7 of practice were transactional in nature (M&A, finance, and corporate restructuring). At the height
8 of my practice, I managed a team of a dozen legal professionals handling cross-border transactions.

10 3. I submit this Declaration in Support of the Stipulation and Order For Appointment
11 of a Fee Examiner (namely, Professor Nancy B. Rapoport). In conjunction with her appointment as
12 the Fee Examiner in the above-mentioned case and in support of her efforts as the Fee Examiner,
13 Professor Rapoport has indicated that she intends to enlist the assistance of Legal Decoder, Inc. and
14 its software to assist in her review of professional fees.

16 4. Unless otherwise stated in this Declaration, I have personal knowledge of the facts
17 set forth herein. I will supplement this declaration if additional information becomes available during
18 this case. This Declaration is being made by me, individually, and on behalf of Legal Decoder, Inc.
19 in my capacity as its Chief Executive Officer.

20 5. I make the following disclosures: to establish that Legal Decoder, Inc. can perform
21 the role and functions requested by Professor Rapoport in this chapter 11 case; and (ii) to establish
22 that both Legal Decoder, Inc. and I are each a "disinterested person" as that term is defined in
23 Section 101(14) of the Bankruptcy Code.

25 6. I understand the duties and responsibilities of a fee examiner, both generally and in
26 this case. If Professor Rapoport is appointed as the Fee Examiner and Legal Decoder, Inc. is

27 DECLARATION OF JOSEPH R. TIANO, JR. - 2

1 appointed and approved as a technology provider in conjunction therewith, Legal Decoder, Inc. and
2 I will perform all requested duties and responsibilities to the best of our abilities.

3 7. As the Chief Executive Officer of Legal Decoder, I am involved in every aspect of
4 Legal Decoder Inc.'s business (sales/marketing, capital financing, data analysis, product
5 development, investor relations, human resources, and long-term strategy). Legal Decoder Inc.'s
6 data analytics technology and software tools process, evaluate, and benchmark complex professional
7 fee data that will be examined by Professor Rapoport upon her appointment as the Fee Examiner in
8 this case.
9

10 8. Legal Decoder and I have provided assistance to fee examiners in the following
11 capacities:

- 12 a. Currently assisting Professor Rapoport in her role as the Fee Examiner in *In re Zetta*
13 *Jet USA, Inc.* (2:17-bk-21386-SK) and *In re Zetta Jet PTE, Ltd.*, Case No. 2:17-bk-
14 21387-SK, United States Bankruptcy Court for the Central District of California—
15 Los Angeles Division (2020-present).
16
17 b. Currently assisting David Klauder (Bielli & Klauder, LLC) in his role as the Fee
18 Examiner in (i) *In re Purdue Pharma L.P., et al.*, Case No. 19-23649 (RDD); and (ii)
19 *In re Endo International plc. Et al.*, Case No. 22-549 (JLG).
20
21 c. Assisted Professor Bruce A. Markell in his role as Fee Examiner in *In re PG&E*
22 *Corp. & Pacific Gas & Electric Company*, Case No. 19-30088 (DM).
23
24 d. Assisted David Klauder (Bielli & Klauder, LLC) in his role as the Fee Examiner in (i)
25 *In re Eagle Hospitality Trust*, Case No. 21-10036; (ii) *In re Libbey Glass, Inc.*, Case
26 No. 20-11456 and (iii) *In re MTE Holdings, Inc.* Case No. 1:2021cv01297.
27
28 e. Assisted Professor Rapoport in her role as the Fee Examiner in *In re Toys R Us*,

27 DECLARATION OF JOSEPH R. TIANO, JR. - 3

1 Inc., Case No. 17-34665 and *In re* Toys “R” Us Property Company I, LLC, United
2 States Bankruptcy Court for the Eastern District of Virginia, Case No. 18-31429
3 (KLP) (2018-2019).

4 f. Assisted Lowenstein Sandler LLP and Fee Expert in *In re* Diocese of Camden, New
5 Jersey, Case No. 20-21257, United States Bankruptcy Court, District of New Jersey
6 (2022).

7
8 9. A true and correct copy of my biography is attached hereto as Attachment 1.

9 10. In checking for conflicts of interest and for connections, I have made inquiry of
10 Legal Decoder, Inc.’s management team and directors, which includes myself (collectively, the
11 “Legal Decoder team”). The Legal Decoder team has reviewed, among other things, the Core
12 Service List of parties and attorneys on the docket as of the date hereof.

13 11. No member of the Legal Decoder team is or has been during the pendency of these
14 Chapter 11 case, a creditor, equity security holder, or insider of the Debtor.

15 12. No member of the Legal Decoder team is or has been a director, officer, or
16 employee of any of the Debtor.

17 13. No member of the Legal Decoder team is or has been an investment banker for any
18 outstanding security of the Debtor, or any attorney for any such investment banker in connection
19 with the offer, sale, or issuance of a security for any of the Debtor.

20 14. No member of the Legal Decoder team is related to any Bankruptcy Judge of the
21 United States Bankruptcy Court for the Northern District of California or any member of any
22 United States Trustee office.

23 15. No member of the Legal Decoder team is or has taken on any other assignment or
24 project in connection with the Debtor’s case and do not possess an interest materially adverse to the
25

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27 DECLARATION OF JOSEPH R. TIANO, JR. - 4

1 interests of the Debtor or any class of creditors or equity security holders of the Debtor, by reason
2 of any direct or indirect relationship to, connection with, or interest in, the Debtor or any of their
3 affiliates, or for any other reason.

4 16. No member of the Legal Decoder team is or has represented or been adverse to the
5 Debtor.

6 17. To the best of my knowledge, no member of the Legal Decoder team is aware of any
7 connections with the Debtor, creditors, any other party in interest, their respective attorneys and
8 accountants, the United States Trustee, any person employed in the Office of the United States
9 Trustee, or this Court.

10 18. I will continue to disclose any additional information concerning entities having a
11 connection to the Debtor and will file appropriate supplemental disclosures with this Court, if
12 warranted.

13 19. As required by Section 504 of the Bankruptcy Code, I affirm that I have not agreed
14 to share any compensation or reimbursement received in connection with this chapter 11 case with
15 any other person.

16 20. Legal Decoder Inc.'s compensation for its products and services is disclosed in
17 Professor Rapoport's Declaration of Disinterestedness. Legal Decoder's proposed compensation in
18 the instant case is proportionate and comparable to compensation charged by Legal Decoder in
19 comparable cases and matters. Except as disclosed in Professor Rapoport's Declaration of
20 Disinterestedness, I affirm that Legal Decoder, Inc. has not agreed to share any compensation or
21 reimbursement received in connection with this chapter 11 case with any other person.

22 21. I understand that any request for payment from the Debtor's estate for
23 compensation and reimbursement of expenses incurred in the performance of my services in
24

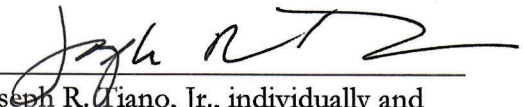
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26
27 DECLARATION OF JOSEPH R. TIANO, JR. - 5

1 assisting the fee examiner will be subject to the approval of this Court and will be made in
2 accordance with the applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local
3 Rules for the United States Bankruptcy Court for the Northern District of California, the
4 Guidelines for Compensation and Expense Reimbursement of Professionals and Trustees set forth
5 at [https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-](https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-reimbursement-professional-and-trustees)
6 [reimbursement-professional-and-trustees](https://www.canb.uscourts.gov/procedure/guidelines-compensation-and-expense-reimbursement-professional-and-trustees), any orders of this Court, and applicable guidelines of the
7 Office of the United States Trustee.
8

9 22. For all of the foregoing reasons, I believe that my appointment to assist the fee
10 examiner in this case is appropriate.

11 23. I hereby declare under penalty of perjury that the foregoing is true and correct.

12 Executed this 17th day of February, 2024.
13

14
15 
16 Joseph R. Tiano, Jr., individually and
17 on behalf of Legal Decoder, Inc.
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27 DECLARATION OF JOSEPH R. TIANO, JR. - 6

Joseph Tiano

Scottsdale, Arizona, United States

jtiano@legaldecoder.com

[linkedin.com/in/joseph-tiano-1767372](https://www.linkedin.com/in/joseph-tiano-1767372)

Summary

Making accurate, data driven business decisions is the key to success. Every year, the legal industry is plagued by \$60 billion of pricing uncertainty and inefficiency.

Both clients and their law firms want the same things: Predictability, Visibility, Efficiency and Value.

Legal Decoder's software/data analytics tools delivers those outcomes. Our software analyzes complex legal spend data and delivers critical insights and trends that make budgeting and pricing more predictable, improves the invoice/legal spend review process and drives greater efficiency and value when it comes to legal services.

Intelligently designed, statistically validated analytic tools that embrace the new age of data driven lawyering are mission critical.

Experience



Chief Executive Officer

Legal Decoder, Inc

Jan 2014 - Present (10 years 2 months)

Leveraging the experience of nearly 20 years in private practice, I founded a legal tech company that transforms that way that legal services are priced and economically evaluated.

Legal Decoder technology turns mountains of valuable and complex legal spend data into actionable information that clients and their law firms can use to make better informed and more strategic decisions. Enhanced business performance and optimized economics result for clients and law firms that use our solution as a competitive edge.

Legal Decoder's solution automatically analyzes legal spend data to gain more insight and transparency for each dollar spent on outside counsel. It makes budgeting more predictable, improves the invoice/legal spend review process and drives greater value and efficiency.

Our proprietary Legal Spend Authentication technology has "built in" domain expertise and is statistically validated by billions in actual, up-to-date legal spend data.



Partner - Transactional Business Attorney, Mergers & Acquisitions, Recapitalizations

Pillsbury Winthrop Shaw Pittman LLP

Oct 2008 - Jan 2014 (5 years 4 months)

As a transactional business lawyer, I concentrated my practice on public and private securities offerings, mergers and acquisitions, restructuring transactions and private equity and venture capital

investments. I grew a multi-million dollar practice and managed the billing, invoicing, economics and day-to-day operations of multi-office, 20 person team.

Partner

Thelen Reid Brown Raysman & Steiner LLP

May 2003 - Oct 2008 (5 years 6 months)

At Thelen, I was promoted from an associate to a partner having organically grown a multi-million dollar cross boarder finance practice. My practice focused on securities offerings, financial restructuring and M&A. I managed practice economics and billing matters for a practice comprised of over 20 legal professionals generating \$6 million - \$10 million annually.



Counsel

Akin Gump Strauss Hauer & Feld LLP

2001 - 2003 (2 years)

I served as the lead associate on M&A and financing transactions many of which involved the restructuring of insolvent organizations.



Associate

Greenberg Traurig, LLP

1999 - 2001 (2 years)

Associate

Tyler Cooper & Alcorn

1995 - 1998 (3 years)

Education



Georgetown University

Business, Marketing/Marketing Management

1988 - 1992



University of Pittsburgh School of Law

JD, Law

1992 - 1995

Gonzaga College High School

1984 - 1988

Potomac School

1982 - 1984

Skills

Public Speaking • Venture Capital • Mergers & Acquisitions • Private Equity • Corporate Governance •
Licensing • Capital Markets • Corporate Law • Due Diligence • Finance

Honors & Awards

MindShare Class of 2014 - MindShare

Mar 2014

MindShare Class of 2014 Member

Invitation-Only Program for CEOs of Emerging and Fast-Growth Companies Begins Its Eighteenth Year

Mindshare Class of 2014 - MindShare

Dec 2014

Graduate of MindShare Class of 2014

DC-based Network of CEOs from High Growth Technology and Data Companies

Lecturer, Becoming an LPL "Precog" - PLUS Podcast,

Oct 2022

Lecturer, "Billing Judgment: The Importance of Reasonable Billing" - Columbus

Bar Association,

Nov 2022

Lecturer, "How Billing Practices Can Foreshadow Malpractice Risk" - New York

City Bar

Dec 2022

Lecturer, "Don't Just Say No: Ethics and the Changing Practice of Law" -

American Bankruptcy Institute - Winter Conference 2022

Dec 2022

Lecturer, "Why Lawyers Need to Bill Strategically in an Age of Legal Artificial Intelligence" - National Academy of Continuing Legal Education

May 2023

Lecturer, "Teleworking and Professional Responsibility" - District of Arizona

Annual Conference

May 2023

The Fastcase 50 Honoree - Fastcase

Jul 2018

**JOSEPH R. TIANO, JR., ESQ.
FOUNDER AND CEO
LEGAL DECODER INC.**

**THOUGHT LEADERSHIP EXPERIENCE
JANUARY 13, 2024**

LAW REVIEW ARTICLES, ACADEMIC ESSAYS AND LEGAL INDUSTRY JOURNAL ARTICLES

- Nancy B. Rapoport & Joseph R. Tiano, Jr., Walking the Data Walk: Using Time Entries to Advance DEI Initiatives, 79 BUS. LAW. ____ (Winter 2023-2024) (forthcoming February 2024) (peer reviewed).
- Gary Marchant & Joseph R. Tiano, Jr., "AI and Legal Ethics" white paper presented at Arizona Summit on Artificial Intelligence, Law and the Court (December 2023) available at <https://www.azcourts.gov/aisummit/Materials>.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., Expert Q&A on the Ethical Considerations of AI and the Reasonableness of Bankruptcy Fees, Now That Generative AI Is Here to Stay, Thomson Reuters Practical Law (November 10, 2023) available at [https://content.next.westlaw.com/practicallaw/document/lca6d2ed477e211ee8921fbef1a541940/Expert-Q-A-on-the-Ethical-Considerations-of-AI-and-the-Reasonableness-of-Bankruptcy-Fees-Now-That-Generative-AI-Is-Here-to-Stay?viewType=FullText&transitionType=Default&contextData=\(sc.Default\)](https://content.next.westlaw.com/practicallaw/document/lca6d2ed477e211ee8921fbef1a541940/Expert-Q-A-on-the-Ethical-Considerations-of-AI-and-the-Reasonableness-of-Bankruptcy-Fees-Now-That-Generative-AI-Is-Here-to-Stay?viewType=FullText&transitionType=Default&contextData=(sc.Default))
- Nancy B. Rapoport & Joseph R. Tiano, Jr., Reimagining "Reasonableness" Under Section 330(a) in a World of Technology, Data, and Artificial Intelligence, 97 AM. BANKR. L.J. 254 (2023) (peer-reviewed), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4515196.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., Billing Judgment, 96 AM. BANKR. L.J. 311 (2022) (peer-reviewed), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4172409.
- Joseph R. Tiano, Nancy B. Rapoport & William J. Siroky, The Specter of Malpractice: When Law Firm General Counsel and Risk Management Professionals Are Confronted With Potential Malpractice Claims and Ethics Violations, 81 MARYLAND L. REV. (ONLINE) 1 (2021), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3932534.
- Nancy B. Rapoport & Joe Tiano, BigLaw Surprises Some With Record Profits in 2020—Now What?, Above the Law (April 30, 2021), available at <https://abovethelaw.com/2021/04/biglawsurprises-some-with-record-profits-in-2020-now-what/>.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., The Legal Industry's Second Chance To Get It Right, 57 WILLAMETTE L. REV. 1 (2021), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3773197.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., Using Data Analytics to Predict an Individual Lawyer's Legal Malpractice Risk Profile (Becoming an LPL "Precog"), 6 U. PA. J. L. & PUB. AFF. 267 (2020), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3760626.
- Nancy B. Rapoport & Joe Tiano, COVID-19 Could Catalyze The Legal Industry Renaissance, Above the Law (April 29, 2020), available at <https://abovethelaw.com/2020/04/covid-19-couldcatalyze-the-legal-industry-renaissance>.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., Leveraging Legal Analytics and Spend Data as a Law Firm Self-Governance Tool, XIII J. BUS. & ENTREPRENEURSHIP & L. 171 (2019) (presented at Arizona State University's 7th Annual Conference on the Governance of Emerging Technologies & Science: Law, Policy & Ethics (May 2019)), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3525660.
- Nancy B. Rapoport & Joseph R. Tiano, Jr., Legal Analytics, Social Science, and Legal Fees: Reimagining "Legal Spend" Decisions in an Evolving Industry, Georgia State Symposium on Legal Analytics, 35 GA. ST. U. L. REV. 1269 (2019), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3418465.

- Joseph R. Tiano, Jr., PRICING LEGAL SERVICES ACCURATELY WITH DATA ANALYTICS TECHNOLOGY, HIGH PERFORMANCE COUNSEL, available at https://highperformancecounsel.com/whitepaper_legaldecoder_pricing-legal-svcs/ (2019)
- Joseph R. Tiano, Jr., EVALUATING OUTSIDE COUNSEL WITH 3 KEY METRICS, Bloomberg Law - Big Law Business (May 19, 2015).
- Joseph R. Tiano, Jr., 5 WAYS DATA CAN HELP OPTIMIZE YOUR OUTSIDE COUNSEL STAFFING MIX, InsideCounsel (March 13, 2015).
- Joseph R. Tiano, Jr., 5 TECHNOLOGY-ENABLED, DATA-DRIVEN STRATEGIES TO REDUCE ADMINISTRATIVE BURDENS AND SPEND, InsideCounsel (February 25, 2015).
- Joseph R. Tiano, Jr., DATA ANALYTICS TOOLS CAN INFORM A LAW DEPARTMENT'S INITIAL INSOURCING DECISION, InsideCounsel (January 23, 2015).
- Joseph R. Tiano, Jr., Regulators Building Investor Confidence: Chinese Style, BLOOMBERG CORP. L. J. (March 2006).
- Joseph R. Tiano, Jr. Anatomy of a Chinese APO: Speed, Certainty, and Flexibility in an Ever-Changing Environment, The Issuer's Guide to Pipes: New Markets, Deal Structures, and Global Opportunities for Private Investments in Public Equity (October 10, 2005).
- Joseph R. Tiano, Jr., The Liability of Computerized Information Service Providers: A Look Back and a Proposed Analysis for the Future" 56 U. PITT. L. REV. 655 (1995).

COMMERCIAL PUBLICATIONS (available on LinkedIn profile page or Legal Decoder Resources page).

LEGAL INDUSTRY PERSPECTIVES

- [Pricing Uncertainty: The Legal Industry's \\$60 BILLION Challenge](#) (October 28, 2016).
- [How Lawyers Demonstrate Their Value: A Proposed Analytic Framework](#) (April 17, 2017).
- [The Legal Industry's Road Ahead: Interview conducted by High Performance Counsel](#) (June 23, 2016).
- [The "What NOT to do" List in Business](#) (May 27, 2016).
- [For the Entrepreneurially-Minded: Thoughts, Realities and Encouragement by an Entrepreneur-in-Progress](#) (February 7, 2016).

ARTIFICIAL INTELLIGENCE, LEGAL DATA ANALYTICS AND TECHNOLOGY

- Nancy B. Rapoport & Joseph R. Tiano, Jr., AI in Bankruptcy Practice (February 2024) available at <https://www.reuters.com/practical-law-the-journal/transactional/ai-bankruptcy-practice-2024-02-01/>
- Fortifying Law Firm Economics Against the Perils of GenAI and Ethics Rule 1.5 (January 2024), available at <https://www.legaldecoder.com/blog/2024/1/11/generative-ai-legal-ethics-and-pricing-whitepaper>.
- The Duality of Legal Spend Analytics (December 6, 2019).
- Getting the Most from A Legal Analytics Initiative (December 11, 2018).
- [The Legal Industry Riding the Data Wave...](#) (April 26, 2016).
- [FitBit for Your Legal Department: Evaluating Legal Data Analytics Solutions](#) (January 28, 2016).
- [12 Smart Things In-House Law Departments Can Do with Big Data](#) (April 30, 2015).
- [The Emergence of Data Driven Lawyering](#) (February 12, 2015).
- [Fighting Fires without Legal Spend Analytics Tools](#) (June 11, 2015).
- [Clients Can Drive Outside Counsel's Workflow Efficiency](#) (May 28, 2015).
- [5 ways data can help optimize your outside counsel staffing mix](#) (March 13, 2015).
- [Why You Should Care About Outside Counsel's Billing Hygiene](#) (May 12, 2015).
- [Can Corporate Legal Departments Realize a 766.0% ROI in Technology/Data Solutions?](#) (March 28, 2015).
- [In-House Legal Using Technology and Data to Cut the Administrivia](#) (February 25, 2015).
- [Getting the Most Out of LegalTech 2015](#) (January 29, 2015).

LAW DEPARTMENT OPERATIONS AND MANAGEMENT

- [2016 Law Department Operations Survey: A Blueprint for Law Departments \(AND LAW FIRMS!\)](#). (December 11, 2016).
- [Case Study | Legal Spend Authentication \(LSA\). Technology \(complimentary copy now available\)](#). (July 28, 2016).
- [Aligning Other Departments with the Corporate Legal Department](#) (August 25, 2015).
- [Speaking the Language of the Corporate Legal Department...](#) (June 30, 2015).
- [Re-Characterizing the Corporate Legal Department as a Cost \(Mitigation\). Center](#) (June 18, 2015).

LAW DEPARTMENT STRATEGIC GOALS AND INITIATIVES

- [Most Popular Law Department New Year's Resolutions for 2016](#) (December 15, 2015).
- [Corporate Legal/Claims Departments Thinking Ahead: Law Firm Convergence Next Era Undercurrents](#) (September 5, 2015).
- [Corporate Law Departments: Recent Sound Bites from Your ACC-Houston Peers](#) (February 21, 2015).

BILLING, RATES, BUDGETING AND OUTSIDE COUNSEL COST MANAGEMENT

- [Getting to "Yes" on Alternative Fee Arrangements](#) (August 13, 2015).
- [Inside Counsel Intelligently Steering the Budget Process for Outside Counsel](#) (June 5, 2015).
- [Outside Counsel's Hourly Rates: Another Perspective for Legal Department Leaders](#) (April 2, 2015).
- [Are Outside Counsel Rate Freezes Translating to Cost Savings?](#) (January 8, 2015).
- [Does Outside Counsel Understand your Need for Budget Certainty?](#) (December 17, 2014).

OUTSIDE COUNSEL SELECTION AND EVALUATION

- [Are Smaller, Boutique Law Firms Right for your Law Department?](#) (October 13, 2015).
- [Optimize Value from Outside Counsel's Junior Personnel](#) (December 24, 2014).
- [Legal Departments: Annual Evaluations of Outside Counsel are Changing](#) (December 13, 2015).
- [Engaging a Mega-Firm: Four Simple Inquiries for Law Department Leaders](#) (April 16, 2015).
- [Legal Departments: Critically Assess Your Use of Service Partners](#) (December 31, 2014).
- [Hiring Outside Counsel on a Moment's Notice](#) (February 6, 2015).

MANAGEMENT OF OUTSIDE COUNSEL

- [5 Simple \(well-received\). Ways Inside Counsel Can Capitalize on Newfound Leverage](#) (September 15, 2015).
- [The Immaculate Succession: 4 Steps for Legal Departments](#) (July 15, 2015).
- [The Evolving Attorney-Client Relationship: Marriage101? \(M](#) (March 20, 2015).
- [3 Ways to Reduce Costs related to Outside Counsel's Personnel Turnover](#) (March 6, 2015).
- [Capitalize on Outside Counsel's Core Expertise](#) (January 21, 2015).

SELECTED SPEECHES, CLE PRESENTATIONS, LECTURES AND SEMINARS

- Presenter, Law Firm Pricing in the Age of GenAI, TVPi Intersect 2024: 10th Annual Miami Value Meeting (January 2024).
- Presenter, Arizona Inns of Court, "AI and Legal Ethics" (December 12, 2023).
- Presenter, Arizona Summit on Artificial Intelligence, Law and the Courts, "AI and Legal Ethics" (December 11, 2023).
- Panelist, American Bankruptcy Institute - Winter Leadership Conference 2023, "To Use or Not to Use: Ethics and the Use of AI in the Legal Industry " Scottsdale, Arizona (December 2, 2023).
- Presenter, San Diego Bankruptcy Forum, "Friend or Foe? Incorporating AI into the Practice of Bankruptcy Law" (November 30, 2023).
- Presenter, Central Arizona Estate Planning Council (Fall Meeting), "Being a Professional in the Age of Artificial Intelligence and Data Analytics" (October 9, 2023).
- Panelist, ABA Standing Committee on Lawyers' Professional Liability National Legal Malpractice Conference, *Cutting Edge Data Analytics - Claims Prediction and More* (plenary session) (September 2023).

- Lecturer, District of Arizona Annual Conference, "Teleworking and Professional Responsibility" (May 19, 2023).
- Lecturer, National Academy of Continuing Legal Education, "Why Lawyers Need to Bill Strategically in an Age of Legal Artificial Intelligence" (May 15, 2023)
- Lecturer, American Bankruptcy Institute - Winter Conference 2022, "Don't Just Say No: Ethics and the Changing Practice of Law" (December 10, 2022)
- Lecturer, New York City Bar, "How Billing Practices Can Foreshadow Malpractice Risk" (December 7, 2022)
- Lecturer, myLawCLE, "Legal Ethics: Reasonableness of fees" (December 30, 2022)
- Lecturer, Columbus Bar Association, "Billing Judgment: The Importance of Reasonable Billing" (November 3, 2022)
- PLUS blog, *Becoming an LPL "Precog"*, <https://plusblog.org/2022/10/10/plus-podcastbecoming-an-lpl> (October 10, 2022)
- Co-Presenter, General Counsel Roundtable, *Using Data Analytics to Predict an Individual Lawyer's Legal Malpractice Risk Profile*, (with Joseph R. Tiano, Jr.) (June 2022).
- Co-Presenter, General Counsel Roundtable, *The Specter of Malpractice*, (with Joseph R. Tiano, Jr.) (April 2022).
- Presenter to Ninth Circuit Conference of Chief Bankruptcy Judges, Bankruptcy Court Clerks and Bankruptcy Lawyer Representatives, *Billing Judgment* (March 2022)
- Presenter, CLE Ethics Presentation, *Ethics Rule 1.5, Data Analytics and Legal Fees* (December 2020)
- Lunch Speaker, *Value KPIs and Metrics for Law Firms, TVPi Intersect 2020: 6th Annual Miami Value Meeting* (January 2020)
- Panelist, *Leveraging Legal Analytics and Spend Data as a Law Firm Self-Governance Tool*, Arizona State University's 7th Annual Conference on the Governance of Emerging Technologies & Science: Law, Policy & Ethics (May 2019).
- Presenter, *Legal Analytics, Social Science, and Legal Fees: Reimagining "Legal Spend" Decisions in an Evolving Industry*, Georgia State Symposium on Legal Analytics (2019)
- Presenter, *Leveraging Legal Analytics and Spend Data as a Law Firm Self-Governance Tool*, Legal Marketing Association: P3® - The Practice Innovation Conference (2019)
- Co-Chair (with Joseph R. Tiano, Jr.) of SALI Bankruptcy Working Group (developing a bankruptcy taxonomy (2021-present) (sali.org).

WEBINARS AND PODCASTS

- 3-Part Webinar Series, "How to Run an Effective Outside Counsel Review Program" presented by Legal Decoder (December 2021-February 2022)
- Presenter on Build-a-Business Podcast, Episode 115 *How to Unleash a Flood of Sales ... Do One Simple Thing* (November 2021)
- Presenter on Law Clerk Podcast, *Virtual Summit: The Successful Business and Practice of Law* (May 2020)
- Presenter on Build-a-Business Podcast, Episode 8, *How Do You Transition from having a Long Career as an Attorney and Become a High-Tech Entrepreneur?* (April 2020)

MEDIA INTERVIEWS, ARTICLES, AND AWARDS

- Interview, "On The Money: Experts Discuss Data Driven Techniques For Evaluating Fees In Complex Bankruptcy Cases, Interview by High Performance Counsel, available at https://hpctest.com/otm_experts_bankruptcy_analysis/ (February 22, 2019).
- Interview, "10 Lawyers-Turned-Entrepreneurs Creating a Revolution in Law" available at <https://www.entrepreneur.com/article/295194> (June 14, 2017).
- Interview, "Booming Legal Tech Market Draws Attorneys Looking for New Path," available at <https://news.bloomberglaw.com/us-law-week/booming-legal-tech-market-draws-attorneyslooking-for-new-path> (May 16, 2019).
- Fastcase 50 Honoree, <http://www.fastcase.com/fastcase50/?class=2018>
- Featured, "Embracing Data-Driven Legal Intelligence" www.legaltech.com

EXHIBIT B

Robert J. Keach
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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

THE ROMAN CATHOLIC ARCHBISHOP
OF SAN FRANCISCO,

Debtor and Debtor in Possession.

Case No. 23-30564

Chapter 11

**DECLARATION OF ROBERT J. KEACH IN COMPLIANCE WITH RULE 2014 OF
THE FEDERAL RULES OF BANKRUPTCY PROCEDURE
(INCLUDING STATEMENT OF DISINTERESTEDNESS)**

I, Robert J. Keach, declare pursuant to 28 U.S.C. § 1746, under penalty of perjury that:

1. I am a shareholder of Bernstein, Shur, Sawyer & Nelson, P.A. (the “Firm”),
which maintains offices at 100 Middle Street, West Tower, Portland, Maine.

2. Neither I, the Firm, nor any partner, associate or other member thereof, insofar as
I have been able to ascertain, is affiliated with the debtor and debtor in possession (collectively,
the “Debtor”), or its creditors, or any other party in interest, or their attorneys, or their advisors,
or any person or entity with respect to claims against the Debtor’s estate.

3. The Firm, through me and members of the Firm, has not previously represented or
advised the Debtor.

4. To the best of my knowledge, neither I nor the Firm has any connection to the

Debtor, its creditors, any other potential party in interest set forth on the various service lists, matrices and schedules filed in the Debtor's chapter 11 case lists, their respective attorneys and/or accountants or any person employed in the Office of the United States Trustee for Region 17 (the "U.S. Trustee") except to the extent set forth on the Disclosure of Connections and Connections Search Methodology of Robert J. Keach and Bernstein Shur (the "Disclosure") attached to this Declaration as Exhibit A.

5. In the event that additional information becomes available that reveals any connections with parties in interest, this declaration will be amended or supplemented.

6. I do not believe that serving as fee examiner in the above-captioned chapter 11 cases, or any of the other disclosed connections with potential parties in interest, presents any conflict of interest for me or the Firm.

7. The Firm's current customary hourly rates, subject to change from time to time, plus reimbursement of expenses, will be charged by Robert J. Keach and other attorneys of the Firm subject to the exceptions noted below; the hourly rates of Mr. Keach and of the attorneys of the Firm likely to assist Mr. Keach, should the Court approve the retention of the Firm, are set forth in the Disclosure. Mr. Keach is prepared to charge his 2023 rate (\$750/hour) for this engagement and, as a matter of practice for fee examiner engagements, Mr. Keach and the Firm will not charge for non-working travel time and will not seek reimbursement for travel expenses.

8. In the normal course of business, the Firm revises its regular hourly rates on January 1st of each year and requests that, effective January 1st of each year, the aforementioned rates be revised to the regular hourly rates which will be in effect at that time, provided, however, the Firm will provide at least ten (10) days advance notice of the revised regular hourly

rates to counsel to the Debtor, the U.S. Trustee, and counsel to any official committees appointed in these cases.

9. Other than its regular agreement governing all shareholders in the ordinary course of business of the Firm, no agreement or understanding exists between the Firm or any shareholder, associate or other employee thereof as to compensation in connection with these Chapter 11 cases.

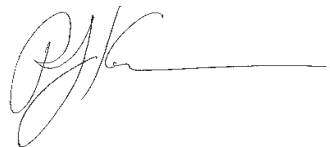
10. Other than its regular agreement governing all shareholders in the ordinary course of business of the Firm, the Firm has no agreement with any entity to share with such entity any compensation received by the Firm.

11. The Firm and its shareholders, associates and other employees may have in the past represented and may in the future represent entities that are claimants of the Debtor in matters totally unrelated to the matters with respect to which the Firm is to be engaged, including, without limitation, as set forth in the Disclosure.

12. Neither I, the Firm, nor any shareholder, associate or other employee thereof, insofar as I have been able to ascertain, holds or represents any interest adverse to the Debtor, or its estate in the matters upon which the Firm is to be engaged.

13. The facts set forth herein are true and correct to the best of my knowledge, information, and belief.

Dated: February 19, 2024



Robert J. Keach

**DISCLOSURE OF CONNECTIONS AND CONNECTIONS SEARCH METHODOLOGY
ON BEHALF OF ROBERT J. KEACH AND BERNSTEIN SHUR WITH RESPECT TO
POSSIBLE APPOINTMENT OF FEE EXAMINER AND COUNSEL**

Robert J. Keach for himself and on behalf of Bernstein Shur states as follows:

1. He practices law as a shareholder of Bernstein Shur Sawyer & Nelson, P.A. (“Bernstein Shur”), a law firm with its principal office at 100 Middle Street, Portland, Maine, and other offices in Augusta, Maine and Manchester, New Hampshire.

2. He is a member of the State Bar of Maine (No. 2289), admitted to practice there in 1980, as well as the Bar of the Commonwealth of Massachusetts (No. 565 508), admitted to practice there in 1994. He is also admitted to practice before the United States District Courts for the Districts of Maine and Massachusetts, the United States Courts of Appeals for the First Circuit, Second Circuit, Seventh Circuit and Eighth Circuit, and the Supreme Court of the United States. He has appeared before the U.S. Courts of Appeals in the First, Second, Seventh and Eighth Circuits and federal district and bankruptcy courts in a variety of jurisdictions, including, without limitation, the Districts of Maine, Massachusetts, Delaware and New Jersey, the Southern District of Ohio, the Eastern District of Virginia, the Eastern District of New York, and the Southern District of New York. Mr. Keach’s current curriculum vitae, including a compilation of 9th Circuit experience and contacts, is attached hereto as Exhibit A.

3. He submits this disclosure, in connection with his proposed appointment as a fee examiner in the chapter 11 case captioned *In re: The Roman Catholic Archbishop of San Francisco*, Chapter 11 Case No. 23-30564 (Bankr. N.D. Cal.). Unless otherwise noted, the disclosure is based on personal knowledge and will be timely amended as previously unknown or undisclosed and relevant information comes to his attention.

4. Bernstein Shur, which employs more than 120 attorneys, has a large diversified legal practice that primarily, though not exclusively, represents corporate clients based in, or doing business in, the United States, with an emphasis on the Northeast. Among these clients are financial institutions, insurance companies, manufacturers, suppliers, business and industry groups, and others that may have a direct or indirect interest in these cases. However, as detailed below, Bernstein Shur does not represent

anyone in connection with these cases, nor has it ever filed a proof of claim for itself or on behalf of a client in these cases.

5. Robert J. Keach and Bernstein Shur have conducted a conflicts and connections check in accordance with the firm's standard conflicts and connections search protocol. The conflict and connections check utilized, *inter alia*, the Limited Service List (as of January 25, 2024), Creditor Matrix, Appointment of Official Committee of Unsecured Creditors, Schedules D-F, and Amended Schedules D-F, and any additional information regarding parties-in-interest that could be obtained from the case docket and filings; the contents of all of such lists used were combined into a single list attached hereto as Exhibit B (and hereinafter referred to as the "Master Conflicts List"). Without limitation, a detailed conflict check was done as to the Debtor and all named affiliates, Retained Professionals (as defined in Paragraph 6 below), judges of the United States Bankruptcy Court for the Northern District of California and United States Trustee personnel listed on the Master Conflicts List (and otherwise determined), members of the official committees appointed in the case, and other key creditors and parties-in-interest. E-mail inquiries were made as to all attorneys at Bernstein Shur including, without limitation, as to relationships with any Retained Professionals and whether or not any Bernstein Shur attorneys had any connections with the Debtor or any affiliates. (Certain additional steps are delineated below in greater detail.) That conflicts check indicates that Bernstein Shur has never represented the Debtor or any of its disclosed affiliates. That check also indicates that Bernstein Shur has not been engaged to represent any Retained Professional or creditor of the Debtor in connection with these cases, including to file any proofs of claim, and steps have been taken to insure no future representation of such person or entities if Robert J. Keach is appointed fee examiner. That check also supports additional declarations set forth below. Therefore, to the best of his knowledge, information and belief, the following statements are true (and when the term "Bernstein Shur" is used it includes each attorney who is a shareholder of, or is employed by, Bernstein Shur even when not so specified):

- a. To the best of his knowledge, Bernstein Shur and Robert J. Keach are "disinterested persons" under section 101(14) and 327 of the Bankruptcy Code, and sections 101(14) and 1104(d) of the Bankruptcy Code, respectively;

- b. Neither Robert J. Keach, Bernstein Shur nor, to the best of his knowledge after due inquiry, any shareholder, member, counsel or associate of Bernstein Shur:
 - i. is a creditor, an equity security holder, or an insider of the Debtor;
 - ii. within the two (2) years before the date of the filing of the Debtor's petition, served as a director, officer, or employee of the Debtor; or
 - iii. has an interest materially adverse to the interests of the Debtor's estate or to any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtor, or for any other reason.
- c. More specifically, neither Robert J. Keach, Bernstein Shur nor, to the best of his knowledge after due inquiry, any shareholder, member, counsel or associate of Bernstein Shur, is related to or has any connections with any Bankruptcy Judge of the United States Bankruptcy Court for the Northern District of California (the "Bankruptcy Court"), the United States Trustee (Region 17), or any person employed by the Office of the United States Trustee (Region 17), other than communications with the Office of the United States Trustee in connection with the prospective appointment of a fee examiner and related occurrences in these cases, in connection with the American Bankruptcy Institute's Commission to Study the Reform of Chapter 11, and to the extent they have shared positions on continuing education panels (as set forth in detail below);
- d. Except as otherwise disclosed herein, neither he, Bernstein Shur, nor to the best of his knowledge after due inquiry, any shareholder member, counsel or associate of Bernstein Shur: (i) holds or represents an adverse interest in connection the Debtor's case; (ii) holds or represents an interest adverse to the interests of the Debtor's estates; or (iii) has any other connection with the Debtor, its creditors, any other party in interest, or, where identified, their respective attorneys;
- e. Except as otherwise disclosed herein, neither he, Bernstein Shur, nor to the best of his knowledge after due inquiry, any of shareholder, member, counsel or associate of Bernstein Shur: (i) has represented the Debtor or any Interested Party (as that term is defined below) in connection with the Debtor's chapter 11 case; or (ii) represents the Debtor or any of the Interested Parties in any matter at the present time;
- f. Attorneys at Bernstein Shur may have spouses, parents, children, siblings, or other relatives ("Relatives") who are attorneys at other law firms and companies (although the conflict search to date has revealed no such connection). Bernstein Shur has strict policies against disclosing confidential information to anyone outside of the firm, including spouses, parents, children, siblings, fiancés, and fiancées. If he is selected to serve as fee examiner in the Debtor's case and Bernstein Shur is retained as his counsel, no member of Bernstein Shur will work

on this engagement if a Relative of that member is working on or in connection with the Debtor's case;

- g. Bernstein Shur and Robert J. Keach are continuing and will continue to review potential conflicts. If he or Bernstein Shur learns that Bernstein Shur has a relationship with, or has represented, a party in interest in connection with these cases, he will supplement this declaration immediately and promptly notify the United States Trustee;
- h. If Robert J. Keach is appointed as fee examiner herein, and Bernstein Shur is retained as his counsel, to ensure that Bernstein Shur will remain conflict free during the term of the appointment, he represents and agrees on behalf of Bernstein Shur, that, Bernstein Shur will not represent any client other than the fee examiner in connection with these cases; and
- i. Neither Bernstein Shur nor Robert J. Keach have agreed to share any compensation or reimbursement received in connection with the Debtor's cases with another person, except as expressly authorized by 11 U.S.C. § 504(b)(1).

6. In preparing this disclosure, and in support of the declarations in this disclosure, Robert J. Keach has also reviewed and caused a full computerized conflict search to be conducted, in accordance with firm protocol, as to:

- (a) the Master Conflicts List (Exhibit B); and
- (b) the full docket in the above-captioned case through and including February 16, 2024;

From that review, Mr. Keach has compiled a list of all professionals retained or proposed to be retained in these cases and related adversary proceedings by the Debtor or the Official Committee of Unsecured Creditors, or otherwise retained with Court approval (collectively, the "Retained Professionals"), which list is attached as Exhibit C. A conflict search was conducted as to the Retained Professionals using Bernstein Shur's standard computer conflict search protocol and by use of a firm-wide e-mail inquiry. Bernstein Shur does not represent any firm or other entity on the list of the Retained Professionals, and, except as disclosed below, is not currently co-counsel or a co-professional with any such firms. A firm wide e-mail inquiry was also made as to any connections with the Debtor, directly, any affiliate of the Debtor, or any identified parties-in-interest (or counsel thereto). Except as disclosed below, no such holdings exist.

7. In the interests of full disclosure however, and out of an excess of caution, Robert J. Keach and Bernstein Shur make the following additional disclosures:

A. Robert J. Keach was a Co-chair of the American Bankruptcy Institute (“ABI”) Commission to Study the Reform of Chapter 11 (the “Commission”). A member of Pachulski Stang Ziehl & Jones LLP was a member of one of the Commission’s advisory committees when the Commission was active.

B. Robert J. Keach is a past President of the ABI, and in various capacities at ABI has worked with certain individuals associated with the Retained Professionals on ABI business or projects, and served on seminar panels with individuals associated with the Retained Professionals and counsel employed by the Office of the United States Trustee.

C. In matters wholly unrelated to the Debtor and its chapter 11 case, Bernstein Shur, and Robert J. Keach in particular, represents and/or has represented clients adverse to clients represented by certain of the Retained Professionals, and represents and/or has represented clients in matters where such clients were co-defendants or co-plaintiffs in litigation.

D. In matters wholly unrelated to the Debtor and its chapter 11 case, Bernstein Shur has recently served or serves as co-counsel or co-professional with certain professionals on the Master Conflicts List as follows: Diamond McCarthy and Greenberg Traurig.

E. Certain former or current clients of Bernstein Shur may be creditors of the Debtor or have other relationships to the case as set forth in Exhibit D; Bernstein Shur has not represented, and will not represent, such former or current clients in connection with the Debtor’s cases.

F. The following creditors or parties in interest have the following non-client relationships to the Firm: ADP, Inc processes the Firm’s payroll; Charles Schwab manages the Firm’s 401k plan; Chubb is one of the Firm’s insurance carriers; and the Firm has an account with Bank of America.

8. At Bernstein Shur, several shareholders, of counsel attorneys, associates, and paralegals regularly represent clients in matters involving Chapter 11 proceedings, whether as debtors, official

committees, ad hoc committees, members of a committee or as creditors (secured and unsecured). (Additional attorneys may also work on such matters on a less regular basis.) If Bernstein Shur is retained as counsel to the Fee Examiner, some or all of those attorneys would assist the Fee Examiner. Set forth below are the names and normal hourly rates for those attorneys, subject to periodic adjustment beginning on January 1, 2025. As stated in the Declaration above, Mr. Keach will discount his rate to \$750 per hour for this engagement and neither Mr. Keach nor the Firm will charge the estate for travel expenses or for non-working travel time. Of the attorneys and staff listed below, Mr. Keach expects that Ms. Forssberg, Ms. Boots, Ms. Novo, Mr. Shagoury, Ms. Stewart, and Ms. Quirk would likely work on the matter (or some combination thereof).

Robert J. Keach, Shareholder	\$850.00
Louis H. Kornreich, Of Counsel	\$810.00
David S. ("Sam") Anderson, Shareholder	\$560.00
Lindsay Zahradka Milne, Shareholder	\$535.00
Adam R. Prescott, Shareholder	\$495.00
Brita J. Forssberg, Of Counsel	\$370.00
Letson D. Boots, Associate	\$350.00
Spencer Shagoury, Associate	\$295.00
Jennifer Novo, Associate	\$295.00
Angela Stewart, Paralegal	\$320.00
Karla Quirk, Paralegal	\$230.00
Christine Mastrogiorgio, Paralegal	\$230.00

Dated this 19th day of February 2024.



Robert J. Keach
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Curriculum Vitae

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Robert J. Keach, a shareholder at Bernstein, Shur, Sawyer & Nelson, practices in the area of bankruptcy, reorganization, and workouts. Mr. Keach's practice focuses on the representation of various parties in workouts and bankruptcy cases, including debtors, creditors, creditors committees, lessors and third parties acquiring troubled companies and/or their assets. Mr. Keach has appeared before the bankruptcy courts in the Districts of New Jersey, Maine, Massachusetts, New Hampshire, Delaware, the Northern District of California and the Southern and Eastern Districts of New York, among others. Mr. Keach regularly appears as a panelist on national bankruptcy, lender liability and creditors' rights programs, and is the author of several articles on bankruptcy and creditors' rights appearing in the ABI Law Review, Commercial Law Journal and ABI Journal, among other publications. Mr. Keach is admitted to practice in both state and federal courts in Maine and Massachusetts, as well as the First, Second, Seventh and Eighth Circuit Courts of Appeals and the Supreme Court of the United States.

Mr. Keach is an Adjunct Professor (Cross-Border Insolvency; Business Bankruptcy) at Boston College Law School.

Selected Fiduciary and Fee Examiner Engagements:

Mr. Keach is currently the fee examiner for a post-confirmation trust in a mass tort Chapter 11 Case. Mr. Keach served as the court-appointed fee examiner in the chapter 11 mass tort case for *LTL Management, LLC* in the District of New Jersey. Mr. Keach is also currently the fee examiner as to all professionals retained by the Financial Oversight and Management Board for Puerto Rico in connection with non-Title III services. Mr. Keach served as the court-appointed fee examiner in the following chapter 11 cases: *AMR Corporation* (the chapter 11 cases of American Airlines and its parent and certain affiliates, filed in the SDNY), *Exide Technologies* (D. Del.), *Mineral Park* (D. Del.), *Relativity Media* (SDNY), *Intelsat SA. et al.* (E.D. Va.), and *Murray Energy Holdings, et al* (S.D. Ohio). Among other private engagements, Mr. Keach was retained by a litigation trust formed pursuant to a plan of arrangement sanctioned under Canada's Companies Creditors Arrangement Act to review, and advise the trust's board with respect to, the conduct of the trustee and its counsel in prosecuting multi-billion dollar cross border fraud and fraudulent transfer litigation.

Ninth Circuit Connections:

A number of my appointments have involved the review of fees and expenses of firms with offices within the Ninth Circuit for services rendered within the circuit and/or related to matters or property within the circuit. As such, we have become familiar with the work of those firms, as well as the prevailing rates for such firms and within the circuit generally. As described more fully below, we have examined the fees and expenses of several of the firms involved in *In re The Roman Catholic*

Archbishop of San Francisco, Case No. 23-30564 DM (Bankr. N.D. Cal.) (the “SF Diocese Case”) as a result of appointments in other cases. To name just a few of the firms listed in the chart below, Sheppard Mullin was a retained professional in both *AMR Corp.* [American Airlines], Case No. 11-15463 (Bankr. S.D.N.Y.) and *Exide Technologies, LLC*, Case No. 13-11482 (Bankr. D. Del.). In *Exide*, we reviewed the fees and expenses of the firm’s California-based environmental lawyers and others in connection with work done primarily with respect to the debtor’s plant located in California, and relating to action or proposed action by California regulatory authorities. Berkeley Research Group was a retained professional in both *Intelsat S.A.*, Case No. 20-32299 (Bankr. E.D. Virginia) and *LTL Management LLC*, Case No. 21-30589 (Bankr. D.N.J.). Pachulski was a retained professional in *Exide*.

Our more recent connections with firms appearing in the SF Diocese Case or in other cases where I served as a court-appointed fee examiner or expert on fee issues and with practices within the Ninth Circuit are detailed in the charts below. We have listed the firm, the office within the circuit and the case where I was appointed as fee examiner or selected (and named in a public filing) as a fee expert.

Firms Appearing in the SF Diocese Case	Office Location(s)	Case(s)
Sheppard Mullin Richter & Hampton LLP	Los Angeles, CA	AMR Corp.; Exide Technologies; Relativity Fashion, LLC
Pachulski Stang Ziehl & Jones LLP	Los Angeles & San Francisco, CA	Exide Technologies
Berkeley Research Group, LLC	Los Angeles & Emeryville, CA	Intelsat S.A.; LTL Management LLC
Littler Mendelson, PC (Ordinary Course Professional)	San Diego & San Jose, CA	AMR Corp.
Grant Thornton LLP (Ordinary Course Professional)	Los Angeles, CA	AMR Corp.

Other Firms with Practices in the 9th Circuit	Office Location(s)	Case(s)
Castellammare Advisors, LLC	Pacific Palisades, CA	Relativity Fashion, LLC
FTI Consulting, Inc.	Los Angeles, CA	Relativity Fashion, LLC
Geosyntec Consultants	Costa Mesa, CA	Exide Technologies
Holthouse Carlin & Van Trigt LLP	Pasadena, CA	Relativity Fashion, LLC
Houlihan Lokey Capital, Inc.	Los Angeles, CA	Relativity Fashion, LLC
Morrison Foerster LLP	Los Angeles, CA	Murray Energy Holdings Co.
Pillsbury Winthrop Shaw Pittman LLP	Los Angeles, CA	SC SJ Holdings LLC
Province Inc.	Henderson, NV	Intelsat S.A.
Sierra Research Inc.	Sacramento, CA	Exide Technologies
Stretto	Irvine, CA	Intelsat S.A.

Selected National Engagements:

Mr. Keach represented the creditors committee in *EYP Group Holdings, Inc.* in the District of Delaware, and the secured lender and purchaser in *Gold Standard Baking*, also in Delaware. Mr. Keach was co-counsel for the victorious petitioner in a case before the Supreme Court of the United States, *Mission Product Holdings, Inc. v. Tempnology LLC*, 139 S.Ct. 1652 (2019). Mr. Keach is the estate representative (and formerly, the chapter 11 trustee) in the cross-border railroad reorganization of *Montreal Maine & Atlantic Railway, Ltd.* Mr. Keach has, *inter alia*, represented ad hoc committees in the *Homebanc Mortgage*, *New Century TRS Holdings*, and *Nortel Networks* cases in Delaware, as well as a public utilities commission in the *FairPoint Communications* case in the Southern District of New York, and parties in *In re Sports Authority Holdings, Inc.* (Delaware), *In re Verso Corporation* (Delaware), *In re Heritage Home Group* (Delaware), *In re The Bon-Ton Stores, Inc.* (Delaware), and *In re Toys R Us, Inc.* (E.D. Va.). Mr. Keach represents international private equity funds in distressed company acquisitions throughout the U.S. both in and outside of chapter 11 cases.

Selected Honors:

Recipient, Lifetime Achievement Award (American Bankruptcy Institute), 2021
Fellow, American College of Bankruptcy; Member of the College's Board of Directors
Chambers USA "Star Individual," Corporate/M&A (Bankruptcy) Section
2023 Lawdragon 500 Leading U.S. Bankruptcy and Restructuring Lawyers
Top Lawyers in New England, Wall Street Journal
New England Super Lawyer, Top 100 Lawyers in New England
Martindale-Hubbell, Rated A-V Preeminent
Listed in *Best Lawyers in America (Twenty Year Certificate)*

Professional Affiliations:

American Bankruptcy Institute, Past President (2009-2010); Co-chair of the ABI's Commission to Study the Reform of Chapter 11 (2012-2015); Member, ABI Subchapter V Task Force (2023); Fellow of the American College of Bankruptcy; American Bar Association, Section on Business, Banking and Corporations, Section on Real Estate, Probate and Trust Law (Committee on Enforcement of Creditors Rights) and Section on Litigation; Certified - Business Bankruptcy Law - American Board of Certification (ABC).

Selected Publications:

Robert J. Keach and Adam R. Prescott, *Confirming Nonconsensual Plans in Subchapter V: Exploring the "Projected Disposable Income" Requirement and What It Means (And Does Not Mean) For Small Business Debtors*, 32 No. 2 J. Bankr. L. & Prac. NL Art. 1 (June 2023); Robert J. Keach and Adam R. Prescott, *Balancing Act: How the Small Business Reorganization Act Facilitates Successful Reorganizations (And How Judicial "Rebalancing" Could Affect That Success)*, 31 No. 6 J. Bankr. L. & Prac. NL Art. 1 (December 2022); Robert J. Keach and Lindsay Zahradka Milne, *The Unconstitutional Confluence of Statutory Mootness Under Bankruptcy Code §363(m) and Bankruptcy Courts' Discretion Under Rule 6004(h)*, 71 SYRACUSE LAW REVIEW 493 (2021); Robert J. Keach and Lindsay Zahradka Milne, *Persuasive Authority: Compelled Third-Party Releases*, 37 ABI Journal 12 (December 2018); Robert J. Keach and Andrew C. Helman, *Life After Jevic: An End to Priority-Skipping Distributions?*, 36 ABI Journal 9 (September 2017); Robert

J. Keach and Brady C. Williamson, *The Boomerang Effect: Is There a Contract Exception to ASARCO?*, 35 ABI Journal 14 (April 2016); Robert Keach and Al Togut, *The ABI Commission to Study the Reform of Chapter 11 Enters Its Second Year*, ABL Advisor (2013), *Commission to Explore Overhauling Chapter 11*, 30 ABI Journal 5, 36-37, 83 (June 2011); *Chapter 11 as a Liquidation Tool: Legal, Tactical and Practical Considerations for Debtors, Lenders and Buyers*, *Collier Guide to Chapter 11: Key Topics and Selected Industries*, ^ [4.01] (Alan N. Resnick and Henry J. Sommer eds.) (2015); *Rule 2004 as a Pre-Litigation Tool in a Post-Twombly/Iqbal World: Part II*, 29 ABI Journal 28 (Nov. 2010); *Rule 2004 as a Pre-Litigation Tool in a Post-Twombly/Iqbal World: Part I*, 29 ABI Journal 28 (Oct 2010); *Declarations And Affidavits: Using And Defending Against Written "Nontestimonial" Evidence*, 28 ABI Journal 1, 20, 68-69, (February 2009); *Selecting, Qualifying an Expert in Bankruptcy Proceedings: One Type Does Not Fit All*, 27 ABI Journal 2, 26, 71-74 (March 2008); *Selecting, Qualifying an Expert in Bankruptcy Proceedings: One Type Does Not Fit All: Part I*, 27 ABI Journal 1, 26, 76-77 (Feb. 2008); *BAPCPA and WARN Act 'Back Pay': Now, Timing Isn't Everything*, 24 ABI Journal 26 (Dec./Jan. 2006); *Dead Man Filing Redux: Is the New Individual Chapter Eleven Unconstitutional?*, 13 AM. BANKR INST. L. REV. 483 (Winter 2005); *Afterlife, Reincarnation or Purgatory? Post-confirmation Jurisdiction in the First Circuit*, 24 ABI Journal 24 (Oct. 2005); *Solvent Debtors and Myths of Good Faith and Fiduciary Duty*, 23 ABI Journal 36 (Jan. 2005); *Stalking -Horse Lenders and Good Faith: The Availability of Appellate Protection Under §§363(m) and 364 (e) For Asset Purchasers Extending DIP Financing*, 23 ABI Journal 28 (June 2004); *When the Committee is Not and When the Committee is No More*, 22 ABI Journal 34 (Jan. 2004); *A Hole in the Glove: Why 'Negotiation' Should Trump 'Solicitation'*, 22 ABI Journal 22 (June 2003); *The Case Against KERPS*, American Bankruptcy Institute (2003); *LaSalle, the "Market Test" and Competing Plans: Still in the Fog*, 21 ABI Journal 18 (December/January 2003); *The Continued Unsettled State of Constructive Trusts in Bankruptcy: Of Butner, Federal Interests and the Need for Uniformity*, 103 COM. L. J. 411 (Winter 1998); *"Free To Wander The Commercial Meadows": Controlling Debtor (and Creditor) Conduct in the Gap Period*, American Bankruptcy Institute 1997; *Partner and Partnership Bankruptcy: A Survey and Analysis of Case Law and Proposed Amendments to the Bankruptcy Code*, American Bankruptcy Institute, 1996; *Creditors Get "Gas": The Unsettled State Of Constructive Trusts in Bankruptcy After Columbia Gas and Omegas Group*, American Bankruptcy Institute, 1995; *Creditor Plans In Single-Asset Chapter 11 Cases: Some Issues and Considerations. Restructuring Real Estate Partnerships: Is There Life After Greystone?*, American Bar Association, 1992; *Negative Amortization Plans, Feasibility, and the Fair and Equitable Test. Current Developments, Restructuring Real Estate Partnerships: Is There Life After Greystone?*, American Bar Association, 1992; *Allocating Tax Payments Made During a Bankruptcy Case First to Trust Fund Taxes After United States v. Energy Resources Co., Inc.*, 39th Annual Colby College Estate Planning and Tax Institute, 1992; *Termination of Commercial Credit Relationships and the Implied Covenant of Good Faith and Fair Dealing*, Business Torts Seminar, MSBA, 1990; and *Partner and Partnership Bankruptcy: The Impact of the Filing of a Petition for Relief Under the Bankruptcy Code by a General Partner or a Partnership Upon the Partnership Assets, the Non-Filing Partners, and Partner and Partnership Creditors*, Partnership Investments Seminar, MSBA, 1990; Miscellaneous articles for "Cracking the Code," 1996-1997, at ABI World, www.abiworld.org.

The Roman Catholic Archbishop of San Francisco
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EXHIBIT

B

1201 Broadway - Operator, LLC
99 Colors
A & B Painting, Inc
A B C Fire Protection, Inc
A Black Tie Affair Catering
Aaron Lambert
Abbey, Weitzenberg, Warren & Emery
Abraham Garcia
ACC Business
Ace Fire Equipment & Service Co, Inc
Acme Roofing Co
ACRF Management, LLC
ADP, Inc
Adrian Dominican Sisters
ADSF Capital Assets Support Corp
ADSF Real Property Support Corp
ADT Commercial
ADT Security Services, Inc
Aegis Senior Communities, LLC
AIG
AL Clancy & Associates
Alan H. Martin
Alert Door Service, Inc
Alfredo Guardado
Alhambra
Alice Chan
All Hallows Chapel
All Souls Church
All Souls Elem School
Allen, Glaessner, Hazelwood & Werth, LLP
Allied World Assurance Co aka AWAC
Alvin Yu
Amanda L. Cottrell
American Bible Society
American Core Realty Fund, LP
American Federation of Teachers
Andreozzi + Foote
Andrew B Salzmann
Andrews & Thornton
Anelita Reyes
Anna M Mendieta
Annabelle Groh

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Anne M Vano
Anthony Chung
Anthony Lilles c/o St Patrick Seminary
Anthony Nussmeier
Apostolic Nunciature
Appalachian Insurance Company
Aramark Sports & Entertainment Services
ARC Document Solutions, LLC
ARCH Insurance Co
Archbishop George Niederauer
Archbishop Riordan High School
Archdiocese for the Military Svcs
Archdiocese of Ibadan
Archdiocese of Los Angeles
Archdiocese of San Francisco
Archdiocese of Trivandrum (Latin)
Arias Sanguinetti Wang & Torrijos LLP
Arizona Dept of Revenue
Arthur J Gallagher & Co
Arthur J Gallagher Risk Management Svcs
ASF Electric, Inc
Aspen Insurance
AT&T
Audrey Magnusen
Audrey Newell
Ave Maria Press
AXIS Capital
Aylstock, Witkin, Kreis & Overholtz PLLC
B&D Law Group
B. Riley Advisory Services
Baer Treger LLP
Bain Mazza & Debski LLP
Baker Tilly US, LLP
Balanced Heart Therapy
Bank of America
Bank of America Corporate Center
Bank of San Francisco
Bannakaroli Brothers Comboni Missionaries
Barbara Villalobos
Bay Area Vital-Link, Inc
Bay View Senior Living LLC
Bayside Business Forms

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Beacon Pointe Advisors, LLC
Beatriz Media, Ltd
Beazley Insurance Services
Beck Law PC
Bel Air Films
Bella Health & Wellness, Inc
Bellarmine College Preparatory
Benedict XVI Institute
Benefit Allocation Systems, LLC
Berkeley Research Group, LLC
Berkley Insurance Co
Best Best & Krieger LLP
Betti Simon Magoolaghan, LMFT
Betty Riechmann
Binder & Malter, LLP
Bishop Ignatius Wang
Bishop White Seminary
Bishop William Justice
Bishop, Diocese of Santa Rosa
Black & Indian Mission office
Blackbaud
Bledsoe, Diestel, Treppa & Crane LLP
BofA Securities, Inc
Bonagofsky & Weiss
Boucher LLP
Boxer Gerson LLP
BPM LLP
Braden Johnson
Brean Bettencourt
BridgeBank
Brothers of the Sacred Heart
Burlingame Glass Co
Burns Bair LLP
Business Mail Entry Unit
CA Assoc of Natural Family Planning
CA Assoc of Private School Organizations
CA Office of the Attorney General
California Bank & Trust
California Catholic Conference
California Catholic School Superintendents
California Chamber of Commerce
California Department of Tax And Fee Admin

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California Dept of Justice
California Dept of Motor Vehicles
California Dept of Tax And Fee Admin
California Office of the Attorney General
California Parking Company Inc
California Secretary of State
California State Controller
California Water Service Co
Candice Gold
Canon Street, Inc.
Capuchin Franciscan Order
Capuchin Missionaries
Carlton Senior Living Pleasant Hill
Carol Grewal
Castro Landscaping
Catechetical Leaders (NCCL)
Cathedral of St Mary of the Assumption
Catholic Book Publishing Corp
Catholic Charities
Catholic Charities CYO
Catholic Finance Corp
Catholic Leadership Institute
Catholic Legal Immigration Network
Catholic Medical Association
Catholic Near East Welfare Association
Catholic Recruiter Associates
Catholic Relief Services (CRS)
Catholic Rural Life
Century Indemnity Company
Century Law Group LLP
Certain Underwriters at Lloyds London
Chad S. Caby, Esq.
Chandra Kirtman
Charles Schwab Corp
Cheryl C. Rouse
Chesterton Academy of San Francisco
Chicago Insurance Company
ChildCare Careers LLC
Children's Council of San Francisco
Christina Lauren Goebelsmann
Christina M Gray
Christine Doan

The Roman Catholic Archbishop of San Francisco
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Christine Escobar
Christoph Tietze c/o St Mary's Cathedral
Christopher Aumais, Esq
Christopher George Mueller
Chubb
Chung Ngai Dance Troupe
Church of the Assumption of Mary
Church of the Epiphany
Church of the Good Shepherd
Church of the Immaculate Heart of Mary
Church of the Nativity Menlo
Church of the Nativity SF
Church of the Visitacion
Cintas Corp
Cintia Doran
Cision US Inc
Citizens for Balanced Growth
City National Bank
City of Menlo Park
Clarissa Mae Lico Calimbas
Claude H Blair
Claudia Atilano
Clearlite Trophies
Clyde & CO Us LLP
CMG Language Service
COAR Peace Mission, Inc
Cognitive Inc
Colleen Durkin
Colleen Forbes
Colorado Department of Revenue
Colorado Dept of Revenue
Columban Fathers
Comcast
Community Brands Intermediate, LLC
Comptroller, Phil Isacco
Congregation of the Handmaids of the Holy Child Jesus
Contact One Call Center, Inc
Contemplatives of Saint Joseph
Continental Casualty Company
Conventual Franciscans of California
Copper Beech Psychological Services
Corpus Christi Church

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Cotter Church Supplies, Inc
Courage International, Inc
Court Ordered Debt Collections c/o Franchise Tax Board
Craig & Winkelman LLP
Crane Pest Control
Cristina Gonzalez
Cristo Rey Academy
Crosier Fathers & Brothers
Crowell & Moring LLP
Cruise LLC
Daniel Albert Besmer
DataFest Technologies, Inc.
Daughters of Charity Foundation
Daughters of Charity of
David A Mees
David Marten
David Sibrian
David Steinberg
De Marillac Academy
De Smet & Co
Deanna K. Hazelton
Debra Greenblat
Degenkolb Engineers
Dennis Fruzza
Dennis Gehrmann
Dennis L Callahan
Dentons US LLP
Derek Gaskins
Dhillon Law Group Inc
Dhillon Law Group Inc.
Diamond Ford
Diamond McCarthy LLP
DiamondGin, Inc
Diana Powell
Dicastero per le Chiese Orientali
DiMarco I Araujo I Montevideo
Diocese of Alleppey
Diocese of Baker
Diocese of Bunda
Diocese of Catarman
Diocese of Geita
Diocese of Ijebu-Ode

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Diocese of Ilorin
Diocese of Kabale
Diocese of Kumbakonam
Diocese of Minna
Diocese of Nakuru
Diocese of Oakland
Diocese of Orange
Diocese of Sacramento
Diocese of Same
Diocese of Sorsogon
Diocese of Spokane
Diocese of Virac
Diocese of Warangal
Discalced Camelite Friars
Disciples of Mary
Dissmeyer Corp
Divine Word Missionnaires
DLA Piper LLP
Dolen, Tucker, Tierney & Abraham
Dominic Lee
Dominican Mission Foundation
Donahoo & Associates, PC
Donald Joseph Hying
Donald Reynolds
Doug Mann
Douglas B. Provencher
Drivon Law Firm LLP
Duane Morris LLP
Duc In Altum Schools Collaborative
Duggan's Funeral Services
Duran Lee Carter
Ed Hopfner
Edwards & De La Cerda, PLLC
Elder Care Alliance of San Francisco
Elder Care Alliance of San Rafael
Elder Care Alliance of SF
Elizabeth Dannenfelser
Elizabeth Lev
Ella Zingorenko
Elsa Alfaro
Embolden Law Pc
Emma Johanningsmeier

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Employment Development Department
Endicott Comm, Inc
Ephraim Lem
Ernesto Jandonero
Estey & Bomberger, LLP
Eugene R. Caputi
Evangelium Consulting Group
Evanston
Everfi Inc
Father Sauer Academy
FDLC
Federal Express Corp (Fedex)
Felderstein Fitzgerald Willoughby Pascuzzi & Rios LLP
Fellowship of Catholic University Students
Fidelity Security Life Insurance Co
Fiore Achermann
Fireman's Fund Insurance Company
First Republic Bank
First State Insurance Company
Fiumara Law, PC
Fivable, LLC
Florian Romero
Florida Department of Revenue
Foccus, Inc USA
FOCUS
Focus Press
Foley & Lardner, LLP
Foley Electric Inc
Foran Glennon Palandech Ponzi & Rudloff
Foreign Missions of the Oblates of St Francis de Sales
Forester Haynie PLLC
Fr. Patrick Summerhays
Franciscan Friars
Franciscan Monastery USA, Inc
Francisco Alzuri
Francisco Valdez
Franck & Associates
Freewill Co
Fuad Totah
Fulcrum Financial Inquiry LLP
Furtado, Jaspovice & Simons
Furtado, Jaspovice & Simons

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GA Dept of Revenue Processing Center
Gallagher Benefit Services, Inc
Gallagher Special Risk
GDR Group, Inc
GDR Group, Inc.
General Star National Insurance Co
Genevieve Elizondo
George Hills Co, Inc
Georgia Department of Revenue
Ghislain Bazikila
Gia Publications, Inc
Giampolini & Co
Gina Wilson
Giving Partners Corp
GlassRatner Advisory & Capital Group LLC
Global Retirement Partners LLC
God Squad Productions, Inc c/o
Golden Bear Insurance Co
Golden Gate Appliance Repair
Gomez Trial Attorneys
Gonzaga University
Gonzalo Alvarado
Good Shepherd Elem School
Gordon Rees Scully Mansukhani, LLP
Grace Lee
Grand Industries, Inc
Grant Thornton LLP
Great American Insurance Group
Greenberg Traurig LLP
Greene & Roberts
Gross & Belsky PC
GuideOne Mutual Insurance Co
Gustavo A Torres
Guy Marston
Guzman Construction Group, Inc
Hanelin Industries
Haryanti Ng
Healthy Housing & Vector Control Program
Hector A Molina Jr
Heffernan Retirement Services
Hemar, Rousso & Heald, LLP
Herman Law

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Holy Angels Church
Holy Angels School
Holy Cross Cemetery
Holy Ghost Fathers (Irish Province)
Holy Name of Jesus Church
Holy Name of Jesus School
Holy Spirit Church
Homeland Insurance Co
Hon. Charles Novack
Hon. Dennis Montali
Hon. Hannah L. Blumenstiel
Hon. M. Elaine Hammond
Hon. Stephen L. Johnson
Hon. William Lafferty
Howie & Smith, LLP
Hulst & Handler LLP
Ifrah PLLC
Ignatius Press
Immaculate Conception Academy
Immaculate Heart of Mary School
Institute & Trust
Institute for Patients' Rights Inc
Institutional Shareholder Services Inc
Interior Design Services, Inc
Internal Revenue Service
Intersection Media LLC
Ironshore
Iwave Information Systems Inc
Jacek Nowicki
Jackson Lewis PC
James Peter Sartain
James Susha
James, Vernon & Weeks, PA
Jamie Kubota
Jan Schachern
Jan Zoccoli
Jan Zoccoli as successor in
Janet Fortuna
Janet Holland
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Jason E. Rios
Jeannette A. Vaccaro, Esq.
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JEH Enterprises, Inc
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Jerold M. Dumlao
Jerome S Burstein, PhD
Jesuit Community at Boston College
Jesuit Retreat Center
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Jill Verschaetse
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John PR Roe SF
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JPMorgan Chase Bank
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Julio Eduardo Banos Martinez
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Kairos Psychology Group
KAL Group Inc
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Karen Kwong
Karen McLaughlin
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Kern County Treasurer and Tax Collector Office
Kerry Kelleher
Keshia Kelsey
Ketterer, Browne & Associates, LLC
Kim Dougherty, Esq.
Kimberly Bruce
Kimpact Evergreen Real Estate Inv Fund
Kinsale Insurance
Kioponi D Holani
Klarissa Chichioco
Knights Catering, Inc
Korn Ferry
Krankemann Law Offices PC
KRC San Rafael, LP
Kronenberg Law, PC
Krystyna Amborski
La Salette Missionaries
Landmark c/o RSUI
Laura Bertone
Laura Vicuna PreK/ Littlest Angel Prep
Law Office of Beth C Hopwood
Law office of Craig Charles
Law Office of Davey L Turner
Law Office of Thomas A Johnson
Law Offices of Jeannette A Vaccaro
Law Offices of Joseph C George, PhD
Law Offices of Mark R Mittelman PC
Law Offices of Rouse & Bahlert

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Lawrence R Jannuzzi
LC Pastoral Services, Inc
Legatus
Leonard DeLorenzo
Levin Simes Abrams
Lewis Brisbois Bisgaard & Smith LLP
Lewis Roca Rothgerber Christie LLP
Lexington Insurance Co
Liakos Law, APC
Liberty Mutual Insurance
Liberty Surplus Insurance Company
Lidia Wasowicz Pringle
Life Perspectives
Little Sisters of St Francis of Assisi
Littler Mendelson, PC
Liturgy Training Publications
Lloyds
Locke Lord LLP
Lorna Feria
Louis Baudry
Lourdes Molina
Loyola Press
Madeline McFeely
Malachy Theophilus
Manly, Stewart & Finaldi
Manuel Suarez
Margaret O'Driscoll
Maria M Martinez-Mont
Maria Mata
Maria Menjivar
Maria Rosario Penson
Maria Verbena Cottrell
Marie Elizondo
Marin Catholic High School
Marina Security Services Inc
Mario Cruz
Marist Center
Marist Fathers-Society of Mary
Mark Brumley
Markel
Martin Ford
Marvin Felipe

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Marvin Sanchez
Mary Alexander & Associates, PC
Mary Chacon
Mary Connolly
Mary Mullaney
Mary Podesta
Mary Powers
Maryan Alvarez
Maryknoll Fathers & Brothers
Maryknoll Sisters of St Dominic
Mater Dolorosa Church 3
Matthews & Associates
Maureen Lundy
McCleskey Construction Co
McCormick, Barstow, Sheppard, Wayte & Carruth LLP
Mccoy Church Goods Co, Inc
Meaghan Osborne
Medical Eye Services
Medical Office
Melissa Vlach
Mercedes Lopez
Mercy High School
Merle Talens
Metasoft Systems, Inc
Mezzetti Law Firm, Inc
Mia Sanchez
Michael Brown
Michael Ghiorso
Michael Martinez
Michael Padazinski
Michael R. Fleming
Miguel Blanco
Mili Calvo-Perez
Miriam Garcia
Missio, LLC
Mission Dolores Academy
Mission Dolores Basilica
Mission San Rafael Arcangel c/o St Sylvester Chapel
Missionaries of Charity
Missionaries of Jesus
Missionary Childhood Association
Missionary Sisters of the Sacred Heart of Jesus

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Mitsui Sumitomo Insurance
Montauk Triguard Fund IX LP
Monty White LLP
Most Holy Redeemer Church
Most Holy Rosary Chapel
Most Rev Ignatius C Wang
Most Rev Michael C Barber Diocese of Oakland
Most Rev Robert F Vasa
Most Rev Salvatore Cordileone
Mount St Mary Seminary
Multicultural Radio Broadcasting, Inc
NA of Diaconte Directors
Nancy F O'Brien
Nancy Harris
Natalie Zivnuska
National Association of Church
National Association of Diaconte Directors
National Catholic Educational
National Catholic Partnership
National Catholic Risk Retention Group
National Catholic Services, LLC
National Committee for A Human
Nativity School
Navia Benefit Solutions
Neumiller & Beardslee
Neumiller & Beardslee
New Mexico Taxation and Revenue Department
New Mexico Taxation and Revenue Dept
Nicasio Paloso
Nicolaides Fink Thorpe Michaelides Sullivan LLP
Nicolay Consulting Group
Nicolay Consulting Group, Inc
Norma Guerrero
Northern Services, Inc
Notre Dame de Namur
Notre Dame Des Victoires
Notre Dame Des Victoires School
Notre Dame Elem School
Notre Dame High School
Nye, Stirling, Hale & Miller, LLP
Oakland Audio Visual Services Inc
Oblates of the Virgin Mary

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Office of Pontifical Missions Diocese of Harrisburg
Old St Mary's Cathedral the Immaculate Conception c/o Holy Family Chinese Mission
Omni Agent Solutions, Inc.
OneLicenseNet
Ori Katz
Otis Elevator Co
Our Lady Mount Carmel Church Mill Valley
Our Lady of Angels Church
Our Lady of Angels Preschool
Our Lady of Angels School
Our Lady of Fatima
Our Lady of Guadalupe Mission
Our Lady of Loretto Church
Our Lady of Loretto School
Our Lady of Lourdes Church
Our Lady of Mercy Church
Our Lady of Mercy Elem School
Our Lady of Mount Carmel Church
Our Lady of Mt Carmel Elem Sch
Our Lady of Perpetual Help
Our Lady of Perpetual Help School
Our Lady of Refuge Mission
Our Lady of the Pillar
Our Lady of the Visitation Sch
Our Lady of the Wayside
Pachulski Stang Ziehl & Jones LLP
Pacific Gas & Electric
Pacific Gas & Electric (PG&E)
Pacific Indemnity Company
Pacifica Burlingame LP
Pallontine Fathers (Irish Province)
Palms Insurance -Sutton Spec
Pamela Lyons
Panish Shea Boyle Ravipudi LLP
Parker, Hudson, Rainer & Dobbs LLP
Partners Group Private Equity (Master Fund), LLC
Patricia Coughlan
Patrick Powers
Paul J. Pascuzzi
Paul Mones, PC
Paula Edmonson
Paula F Carney

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Paula Mary Pardini
Pauline Books & Media
Paulist Fathers / Missionary Society of St Paul the Apostle
Pearson Warshaw, LLP
Peiffer Wolf Carr Kane Conway & Wise
Perr & Knight, Inc
Peter Marlow
Pfau Cochran Vertetis Amala PLLC
Pham Radio Communication, LLC
Philip Lam
Phillip E Monares
Phillip John Shine
Pilot Printing
PIME Missionaries
Pitney Bowes
Pitney Bowes Purchase Power
PNC Bank NA
Pribuss Engineering, Inc
Prime Elder Care Solutions, Inc
Progressive Integrated Solutions
Province of St Barbara
Publication Printers Corp
QBE Insurance Corp
R&S Erection of San Francisco
Rachel Alvelais
Rafael Betancourt
Rankin Stock Heaberlin O'Neal
Raphael Laizer
Raul Barriga
Raul Lara Jimenez
Recology Golden Gate
Recology San Mateo County
Recology Sunset Scavenger
Redemptorists Fathers (Denver Province)
Redwod Kairos Real Est Value Fund VIII
Redwod Kairos VI GP, LLC &
Redwood Acres Residential Home
Redwood Glen
Region XI Conference of
Region Xi Conference of Priests' Council
Region XI Diocesan Directors of Catechetical Ministry
Regional Commissariat of The Holy Land

The Roman Catholic Archbishop of San Francisco
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Reich & Binstock, LLP
Reina Parada
Reliance Life Insurance
Religious Education
Renee A Duffey
Renee von Gemmingen Perko
Response Envelope, Inc
Reta Trust
Retirement Fund for Religious
Retrouvaille International Inc
Rev Andrew Spyrow
Rev Armando Gutierrez
Rev Cameron M Faller
Rev Clifford Martin
Rev David A Schunk
Rev David Pettingill
Rev Dzungwenen R. Tyohemba
Rev Edward A Bohnert c/o Serra Clergy House
Rev Emmerich Vogt, OP
Rev Gregory Heidenblut OSA
Rev Henry J Trainor
Rev John Lawrence Greene
Rev John Trigilio
Rev Jonathan Kalisch
Rev Joseph Bradley
Rev Joseph Illo
Rev Linyong Zhai
Rev Michael Kwiecien
Rev Michael Liliedahl
Rev Patrick Summerhays
Rev Paul Coleman
Rev Peter Zhai
Rev Quoc Van Nguyen, OFMCAP
Rev Rene J Iturbe
Rev Stephen A Meriwether
Rev Thuan Hoang
Rev Victor Perez
Rev William Young
RevPaul F Warren
Ribera Law Firm, APC
Ricardo Torres Islas
Rice & Bloomfield, LLP

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Richard Collyer
Richard Ottis
Richard Scott French
Ricoh Usa, Inc
Rite Aid Corp
Rite Aid Hdqtrs Corp
Rmi Mechanical Contractor, Inc
Robert Correa
Robert Graffio
Robert J Spitzer
Robert Larsen
Robert O'Connor
Robert R. Redwitz
Robert Susha
Robins Kaplan LLP
Rocio B Rodriguez
Rod Linhares
Rodney D Yee
Rodriguez Media Productions, Inc
Roman Catholic Archbishop of
Roman Catholic Church In HI
Roman Catholic Communications Corp Catholic Teacher Resources
Roman Catholic Diocese of Madison, Inc
Roman Catholic Seminary of San Francisco
Rosalie Marcic
Rose Marie Wong
Ruggeri Parks Weinberg LLP
Runde & Partners, Inc
Russian Byzantine Catholic
Ryan Law
Ryan Mayer
Sabah Khanshali
Sacred Heart Cathedral Prep
Sacred Heart Cathedral Preparatory
Sacred Heart Church
Sacred Heart Preparatory
Sage Intacct, Inc
Saimone Moala
Salesian Missions
Salesian Sisters of St John Bosco
Salesian Society
Salvatore J Campagna Jr

The Roman Catholic Archbishop of San Francisco
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Samuel Nkansah CSSp
San Damiano Retreat
San Francisco County Clerk
San Francisco Dept of Cemeteries
San Francisco Elevator Services, Inc
San Francisco Interiors, Inc
San Francisco Tax Collector
San Francisco Water, Power & Sewer
San Jose Obrero
San Mateo County Tax Collector
San Mateo Police Activities League
Sandra Finnegan
Sandra V Kearney
Sapling Envelope & Printing
Saunders & Walker, PA
Scherer Smith & Kenny LLP
Schindler Elevator Corp
Schmidt National Law Group
School Juridic Persons Real Property Support
School of the Epiphany
Secure Pros
Segal Byrant & Hamill
Seneca Family of Agencies
Serra Clergy House
Shapiro, Galvin, Shapiro & Moran
Sharon Lee
Sheppard, Mullin, Richter & Hampton LLP
Shouraiiah Pudota
Shrine of St Francis of Assisi
Siemens Industry, Inc
Siena Perez
Signius Communications
Simone Rizkallah
Simpson Thacher & Bartlett LLP
Sinnott, Puebla, Campagne & Curet, APLC
Sister thea Bowman Foundation
Sisters of Charity of Seton Hill
Sisters of Mercy
Sisters of Notre Dame de Namur
Sisters of Social Service
Sisters of the Good Shepherd
Sisters of the Presentation

The Roman Catholic Archbishop of San Francisco
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Master Conflicts List

Sisters of the Society of Our Lady of the Most Holy Trinity (SOLT Sisters)
Sitrick Group, LLC
SJ Leadership Coach, LLC dba Kadabra
Slater Slater Schulman LLP
Smith Ellison
Smoke Guard California, Inc
Society for the Propagation of the Faith
Society of Catholic Social Scientist
Society of Mary US Province
Society of St Vincent de Paul
Society of the Divine Word
Sodexo, Inc & Affiliates
Sophia Achermann
Sophia Mendoza Ignacio-Prevatte
Special Medical Aid
Special-T-Messenger
Sr C Arbuckle
Sr Olga Cristobal
Sr Rosina Conrotto
Sr Sara Postlethwaite
St Agnes Church
St Andrew Church
St Anne Elem School
St Anne of the Sunset Church
St Anselm Church
St Anselm School
St Anthony Church
St Anthony of Padua Church Novato
St Anthony of Padua Church San Francisco
St Anthony/Immaculate Conception School
St Augustine Church
St Bartholomew Church
St Benedict Parish
St Boniface Church
St Brendan Church
St Brendan School
St Brigid Elem School
St Bruno Church
St Catherine of Siena
St Catherine of Siena School
St Cecilia Church Lagunitas
St Cecilia Church San Francisco

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St Cecilia Elem School
St Charles Borromeo Church
St Charles Church
St Charles Elem School
St Denis Church
St Dominic Catholic Church
St Dominic Church
St Dunstan Church
St Dunstan School
St Edmund's Retreat, Inc
St Elizabeth Church
St Elizabeth Seton School
St Emydius Church
St Finn Barr Church
St Finn Barr Elem School
St Francis Center of Redwood City
St Francis of Assisi
St Francis Xavier
St Gabriel Church
St Gabriel Elem School
St Gregory Church
St Gregory Elem School
St Helen Mission Parish
St Hilary Church
St Hilary Elem School
St Ignatius Church
St Ignatius College Prep
St Isabella Church
St Isabella Elem School
St James Church
St James School
St John Elem School
St John of God Chapel
St John Paul II Foundation
St John the Evangelist Church
St Joseph Province
St Joseph the Worker
St Junipero Serra Friary
St Kevin Church
St Luke Church
St Mark Church
St Mary Magdalene Mission Parish

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Master Conflicts List

St Mary Star of the Sea
St Mary's School & Chinese Catholic Ctr
St Matthew Church
St Matthew Elem School
St Matthias Church
St Matthias Preschool
St Meinrad Archabbey
St Michael Korean Church
St Monica Church
St Monica Elem School
St Patrick Church Larkspur
St Patrick Church San Francisco
St Patrick Elem School
St Patrick Fathers
St Patrick Seminary
St Patrick's Seminary & University
St Paul Church
St Paul Elem School
St Paul of the Shipwreck
St Peter & Paul Elem School
St Peter Church Pacifica
St Peter Church San Francisco
St Peter Elem School
St Philip Elem School
St Philip the Apostle
St Pius Church
St Pius Elem School
St Raphael Church
St Raphael Elem School
St Raymond Church
St Raymond Elem School
St Rita Church
St Robert Church
St Robert Elem School
St Sebastian Church
St Stephen Church
St Stephen Elem School
St Teresa Church
St Thomas Apostle Elem School
St Thomas More Church
St Thomas More School
St Thomas the Apostle Church

The Roman Catholic Archbishop of San Francisco
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Master Conflicts List

St Timothy Church
St Timothy Elem School
St Veronica Church
St Veronica Elem School
St Vincent de Paul Church
St Vincent De Paul Elem School
St Vincent De Paul Province of the West
St. Paul Fire and Marine Insurance Co.
Stadtner Co Inc dba Sierra Electric Co
Staples, Inc
Star of the Sea Church
Star of the Sea Preschool
State of California Franchise Tax Board
Stella Maris Academy
Stephanie Field Psy.D
Stephen Howell
Sterling Environmental Corp
Sterling Infosystems, Inc
Steven Anthony Moreno
Steven Olbash
Steven Olujic
Stewardship Planned Giving
Sts Peter & Paul Church
Stuart Hall for Boys
Stuart Hall High School
Summers Plumbing & Heating, Inc
Susan Arms
Susana Lapeyrade-Drummond
Suzanne Liu
Talx UC Express
Tamaki Friess
Taqueria Galindo El Auowe Burrito
Tara Rolle
TEC Conference
Teletech Security
Teodoro Magpayo
Terminix Int'l Company LP
Terra Sancta Guild
Tess Tuser
Texas Surplus Ins c/o Texas Insurance Co
The Archdiocese of San Francisco Capital Association
The Archdiocese of San Francisco Parish

The Roman Catholic Archbishop of San Francisco
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Master Conflicts List

The Archdiocese of San Francisco Capital Assets Support Corp
The Archdiocese of San Francisco Parish School Juridic Persons Real Property Support Corp
The Catholic Benefits Association
The Catholic TV Mass Services
The Catholic University of America
The Dominican House of Studies
The GDR Group
The GDR Group, Inc
The Giving Block
The Hartford Group aka HSB
The House of Hansen Inc
The Keane Law Firm, PC
The Killino Firm, PC
the NA of Diaconate Directors
The Oakland Public Education Fund
The Ordinary Mutual
The Pastoral Center
The Pilot Media Group
The Plumbers of San Francisco
The Roman Catholic Archbishop of San Francisco
The Roman Catholic Bishop of Fresno
The Sleep Train, Inc
The Tagaste Foundation
The Upper Room Crisis Hotline
The Zalkin Law Firm, P.C.
Thomas Crowe
Thomas Martin
Thompson Law Offices
Thomson Reuters
TK Elevator Corp
Tm Enterprises
Toan Nguyen
TPX Communications
Tracy Hope Davis
Transperfect Legal Solutions
Transportation Marketing Services, Inc
Travelers
Travelers Casualty and Surety Company
Treasured Works, LLC
Trevor Ross Fehr
Tribunal Technologies
Trinity Building Services

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Twyla Powers
UAS Health Insurance
Ukrainian Catholic Eparchy of Saint Josaphat in Parma
Ulissess Catering Services
Ulysses D'Aquila
United Behavioral Health
University of Notre Dame
University of San Francisco
US Bank
US Bank National Association
US Conference of Catholic Bishops
Valerie Schmalz
Vallombrosa Center
Van Blois Law
Ventas AOC Operating Holdings, Inc
Verbum Dei Missionary Fraternity
Verizon Wireless
Via Della Concilizione
Vianney Vocations
Vicar for Clergy, ADLA
Vicar for Priests office Archdiocese of Chicago
Vicente Del Real Alvarez
Vicky Salgado
Victoria Castro
Victoria Malone
Vilma Lorenzo
Vincentian Congregation
Vincentians - Western Province
Virginia Department of Taxation
Virginia Dept of Taxation
Virginia Employment Commission
Vittorio Anastasio
Volta Charging, LLC
VRS-Catering Connection
Walkup Melodia Kelly & Schoenberger
Waters Kraus & Paul
Webpro Productions, LLC
Weinstein & Numbers, LLP
Weintraub Tobin Chediak Coleman & Grodin
Wells Fargo Bank NA
Wendy Biale
Wesco Graphics, Inc

The Roman Catholic Archbishop of San Francisco
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Master Conflicts List

Westchester
Westchester Fire Insurance Company
Western Catholic Educational Assoc
Western Catholic Insurance Co.
Western Dominican Province
Westport Insurance Corporation
WG Hillsdale SH, LP dba Atria Park of San Mateo
William McCain
Winer, Burritt & Scott, LLP

Debtor:

- Sheppard, Mullin, Richter & Hampton LLP (Counsel)
- Felderstein Fitzgerald Willoughby Pascuzzi & Rios, LLP (Counsel)
- Weintraub Tobin Chediak Coleman & Grodin (Special Corporate and Litigation Counsel)
- Glassratner Advisory & Capital Group, LLC d/b/a B. Riley Advisory Services (Financial Advisor)
- Weinstein & Numbers, LLP (Insurance Counsel)
- TransPerfect Legal Solutions (Litigation Support Consulting & E-Discovery Services)
- Omni Agent Solutions, Inc. (Administrative Agent)

Debtor's Ordinary Course Professionals:

- Allen, Glaessner, Hazelwood & Werth LLP (Legal)
- Best Best & Krieger LLP (Legal)
- Jackson Lewis LLP (Legal)
- Littler Mendelson, PC (Legal)
- Rankin Stock Heaberlin O'Neal (Legal)
- Beacon Pointe LLP (Financial/Accounting)
- BPM LLP (Financial/Accounting)
- Nicolay Consulting Group Inc. (Financial/Accounting)
- Grant Thornton LLP (Financial/Accounting)
- Global Retirement Partners – Heffernan Retirement Services (Financial/Accounting)
- Stewardship Planned Giving (Other)
- Korn Ferry (Other)

Official Committee of Unsecured Creditors:

- Pachulski Stang Ziehl & Jones LLP (Counsel)
- Burns Bair LLP (Special Insurance Counsel)
- Berkeley Research Group, LLC (Financial Advisor)

CURRENT OR FORMER CLIENTS

INDIVIDUAL OR ENTITY	RELATIONSHIP TO DEBTOR	RELATIONSHIP TO BERNSTEIN SHUR
AIG	Insurance Services	Former Client
AT&T	Contract Counterparty	Former Client
Bank of America	Banking Services	Former Client
Blackbaud, Inc.	Contract Counterparty	Current Client
Chicago Insurance Company	Interested Party	Former Client
Chubb	Insurance Provider	Former Client
Continental Casualty Company	Interested Party	Former Client
Diamond McCarthy LLP	Counsel for the Archdiocese of San Francisco Capital Assets Support Corporation	Current Client
First State Insurance Company	Interested Party	Former Client
JPMorgan Chase	Matrix Party	Former Client
Liberty Mutual Insurance	Matrix Party	Current Client
Locke Lord LLP	Counsel for Daughters of Charity Foundation	Represents party for whom Robert J. Keach is an expert witness
Markel	Insurance Provider	Former Client
Otis Elevator Co.	Matrix Party	Former Client
PNC Bank NA	Matrix Party	Former Client
Reliance Life Insurance	Insurance Provider	Former Client
St. Paul Fire and Marine Insurance Co.	Insurance Provider	Former Client
Travelers	Insurance Provider	Current Client
Travelers Casualty and Surety Company	Insurance Provider	Former Client
United Behavioral Health	Matrix Party	Current Client
University of San Francisco	Matrix Party	Former Client
US Bank	Banking Services	Former Client
US Bank NA	Contract Counterparty	Former Client
Verizon Wireless	Creditor	Former Client
Wells Fargo Bank N.A.	Creditor	Former Client
Westport Insurance Corporation	Insurance Provider	Former Client

EXHIBIT C

Christina L. Goebelsmann, Assistant United States Trustee
State Bar No. CA 273379

Jason M. Blumberg, Trial Attorney
State Bar No. CA 330150

Jared A. Day, Trial Attorney
State Bar No. CA 275687

UNITED STATES DEPARTMENT OF JUSTICE

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Attorneys for the U.S. Trustee for Region 17
TRACY HOPE DAVIS

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re

THE ROMAN CATHOLIC ARCHBISHOP
OF SAN FRANCISCO,

Debtor.

Case No: 23-30564 DM

Chapter 11

**ORDER GRANTING UNITED STATES TRUSTEE'S MOTION FOR
ORDER APPOINTING FEE EXAMINER AND ESTABLISHING
PROCEDURES FOR REQUESTING PROFESSIONAL
COMPENSATION AND REIMBURSEMENT OF EXPENSES**

Upon consideration of the United States Trustee's *Motion an Order Appointing a Fee Examiner and Establishing Procedures for Requesting Professional Compensation and Reimbursement of Expenses* (the "Motion," ECF No. 389), and appearing that the appointment of a fee examiner is appropriate,

1 **IT IS HEREBY ORDERED** that Nancy B. Rapoport is appointed as the fee examiner
2 (the “Fee Examiner”) in this case. Based upon the supporting declaration accompanying the
3 Motion, the Fee Examiner is a disinterested person as defined under the Bankruptcy Code and
4 does not hold or represent an interest adverse to the estate;

5 **IT IS HEREBY FURTHER ORDERED** that unless otherwise ordered by the Court,
6 this order shall apply to all professionals in this chapter 11 case that are employed under sections
7 327 and 1103 (or similar authority) and request compensation and/or reimbursement of expenses
8 for services rendered under sections 328, 330, and 331 (or similar authority);

9 **IT IS HEREBY FURTHER ORDERED** that the terms and conditions of any interim
10 compensation order shall not be modified by this order, except as set forth in the Motion and/or
11 herein. Given the size and complexity of this chapter 11 case, the Fee Examiner shall review and
12 report on as appropriate all interim and final applications for allowance of compensation and
13 reimbursement of expenses filed by professionals (the “Retained Professionals”), in accordance
14 with sections 328, 330, and 331 (or similar authority) of the Bankruptcy Code and any interim
15 compensation order (collectively, the “Applications”);

16 **IT IS HEREBY FURTHER ORDERED** that the Fee Examiner shall review and assess
17 all Applications filed by the Retained Professionals, and the fees and reimbursement of expenses
18 for which allowance is sought pursuant to the Applications, for compliance with the following:

- 19
20
21
22 a. Review and assess all Applications filed by the Retained
23 Professionals, and the fees and reimbursement of expenses
24 for which allowance is sought pursuant to the Applications,
25 for compliance with: (i) Bankruptcy Code Sections 328,
26 329, 330, and 331, as applicable; (ii) Fed. R. Bankr. P.
27 2016; (iii) any interim compensation order; (iv) the United
28 States Trustee Guidelines for Reviewing Applications for

1 Compensation and Reimbursement of Expenses, 28 C.F.R.
2 Part 58, Appendix A and Appendix B (the “Guidelines”);
3 and (v) the United States Bankruptcy Court for the NDCA
4 Guidelines for Compensation and Expense Reimbursement
5 of Professionals and Trustees (the “NDCA Guidelines”);

- 6 b. Review the Applications filed by each Applicant in this
7 chapter 11 Case (along with the fee detail related thereto),
8 and to the extent possible, the fee examiner shall avoid
9 duplicative review;
- 10 c. During the course of their review of an Application,
11 consult, as they deem appropriate, with each Applicant
12 concerning such Application;
- 13 d. During the course of their review of an Application,
14 review, to the extent appropriate, any relevant documents
15 filed in this chapter 11 case to be generally familiar with
16 this chapter 11 case and the associated public docket;
- 17 e. Within thirty (30) days after an Applicant files an
18 Application (or such greater time as the Applicant and fee
19 examiner agree), serve an initial report (the “Initial
20 Report”) on the Applicant designed to quantify and present
21 factual data relevant to whether the requested fees,
22 disbursements, and expenses are in compliance with the
23 applicable standards of sections 328, 329, 330, and 331 of
24 the Bankruptcy Code, Bankruptcy Rule 2016, and whether
25 the Applicant (if required) has made a reasonable effort to
26 comply with the United States Trustee’s requests for
27 information and additional disclosures as set forth in the
28 Guidelines and NDCA Guidelines;
- f. During the period between service of the Initial Report and
filing of the Final Report (as defined below), engage in
written communication with each Applicant, the objective
of which is to resolve matters raised in the Initial Report
and to endeavor to reach consensual resolution with each
Applicant with respect to that Applicant’s requested fees
and expenses, in furtherance of which the Examiner may
also use the resolution process to revise findings contained
in the Initial Report, and each Applicant may provide the
fee examiner with written supplemental information that
the Applicant believes is relevant to the Initial Report;
- g. Following communications between the fee examiner and
the Applicant and the fee examiner’s review of any
supplemental information provided by such Applicant in
response to the Initial Report, conclude the informal

1 resolution period by filing with this Court a report with
2 respect to each Application (the "Final Report") within
3 twenty-one (21) days after the service of the Initial Report,
4 which shall be in a format designed to quantify and present
5 factual data relevant to whether the requested fees and
6 expenses of each Applicant are in compliance with the
7 applicable standards of section 330 of the Bankruptcy Code
8 and Bankruptcy Rule 2016, and whether the Applicant has
9 made a good faith reasonable effort to comply with the
10 Guidelines and the NDCA Guidelines; and

- 11 h. Serve each Final Report on counsel for the Debtor, counsel
12 for the Official Committee of Unsecured Creditors (the
13 "OCUC"), the United States Trustee, and each Applicant
14 whose fees and expenses are addressed in the Final Report.

15 **IT IS HEREBY FURTHER ORDERED** that the Fee Examiner may:

- 16 a. File comments on the public docket of the Court regarding
17 any Application by a Retained Professional;
18 b. Communicate their concerns regarding any Application to
19 the Retained Professionals to whom such Application
20 pertains, and to request further information as appropriate;
21 c. Request Retained Professionals to provide budgets, staffing
22 plans, or other information to the fee examiner;
23 d. Establish procedures for the resolution of disputes with
24 Retained Professionals;
25 e. Recommend procedures to facilitate the preparation and
26 review of Applications;
27 f. Appear and be heard on any matter before the Court;
28 g. File and litigate objections to the allowance of any
Application;
h. Take, defend, or appear in any appeal regarding any
Application;
i. Conduct discovery; and
j. Retain, subject to Court approval, professionals (including
attorneys and auditors) to represent or assist the fee examiner
in connection with any of the foregoing under standards
analogous to section 327 and to be compensated under
standards analogous to sections 330 and 331.

1 **IT IS HEREBY FURTHER ORDERED** that the Debtor, the OCUC, the United States
2 Trustee, and all Retained Professionals shall cooperate with the Fee Examiner in the discharge of

1 the Fee Examiner's duties and shall promptly respond to any reasonable requests for information
2 or communications from the Fee Examiner;

3 **IT IS HEREBY FURTHER ORDERED** that the Fee Examiner and any professionals
4 retained by the Fee Examiner shall be entitled to compensation from the estate for their reasonable
5 and necessary fees and expenses. Any such requests for compensation shall be made by application
6 to the Court and shall be allowed according to the same standards and procedures that apply to the
7 Retained Professionals, including the interim compensation order entered in this case on October
8 16, 2023 (*see* ECF No. 212);

10 **IT IS HEREBY FURTHER ORDERED** that the Fee Examiner is appointed as an
11 officer of the Court, and the Fee Examiner along with those employed or paid by her with respect
12 to this appointment, shall be given the maximum immunity permitted by law from civil actions
13 with respect to the performance of the duties set forth herein; and

15 **IT IS HEREBY FURTHER ORDERED** that in the event a chapter 11 trustee is
16 appointed in this case, such appointment will not terminate or otherwise modify the duties and
17 responsibilities of the Fee Examiner. Rather, the Fee Examiner's appointment shall only be
18 terminated or otherwise modified by entry of an order of the Court.

21 * * END OF ORDER * *

COURT MAILING LIST:

ECF Participants Only

EXHIBIT D

Christina L. Goebelsmann, Assistant United States Trustee
State Bar No. CA 273379

Jason M. Blumberg, Trial Attorney
State Bar No. CA 330150

Jared A. Day, Trial Attorney
State Bar No. CA 275687

UNITED STATES DEPARTMENT OF JUSTICE

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Attorneys for the U.S. Trustee for Region 17
TRACY HOPE DAVIS

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re

THE ROMAN CATHOLIC ARCHBISHOP
OF SAN FRANCISCO,

Debtor.

Case No: 23-30564 DM

Chapter 11

**ORDER GRANTING UNITED STATES TRUSTEE'S MOTION FOR
ORDER APPOINTING FEE EXAMINER AND ESTABLISHING
PROCEDURES FOR REQUESTING PROFESSIONAL
COMPENSATION AND REIMBURSEMENT OF EXPENSES**

Upon consideration of the United States Trustee's *Motion an Order Appointing a Fee Examiner and Establishing Procedures for Requesting Professional Compensation and Reimbursement of Expenses* (the "Motion," ECF No. 389), and appearing that the appointment of a fee examiner is appropriate,

1 **IT IS HEREBY ORDERED** that Robert J. Keach of Bernstein, Shur, Sawyer & Nelson,
2 P.A. is appointed as the fee examiner (the “Fee Examiner”) in this case. Based upon the
3 supporting declaration accompanying the Motion, the Fee Examiner is a disinterested person as
4 defined under the Bankruptcy Code and does not hold or represent an interest adverse to the
5 estate;

6 **IT IS HEREBY FURTHER ORDERED** that unless otherwise ordered by the Court,
7 this order shall apply to all professionals in this chapter 11 case that are employed under sections
8 327 and 1103 (or similar authority) and request compensation and/or reimbursement of expenses
9 for services rendered under sections 328, 330, and 331 (or similar authority);

10 **IT IS HEREBY FURTHER ORDERED** that the terms and conditions of any interim
11 compensation order shall not be modified by this order, except as set forth in the Motion and/or
12 herein. Given the size and complexity of this chapter 11 case, the Fee Examiner shall review and
13 report on as appropriate all interim and final applications for allowance of compensation and
14 reimbursement of expenses filed by professionals (the “Retained Professionals”), in accordance
15 with sections 328, 330, and 331 (or similar authority) of the Bankruptcy Code and any interim
16 compensation order (collectively, the “Applications”);

17 **IT IS HEREBY FURTHER ORDERED** that the Fee Examiner shall review and assess
18 all Applications filed by the Retained Professionals, and the fees and reimbursement of expenses
19 for which allowance is sought pursuant to the Applications, for compliance with the following:

- 20 a. Review and assess all Applications filed by the Retained
21 Professionals, and the fees and reimbursement of expenses
22 for which allowance is sought pursuant to the Applications,
23 for compliance with: (i) Bankruptcy Code Sections 328,
24 329, 330, and 331, as applicable; (ii) Fed. R. Bankr. P.

2016; (iii) any interim compensation order; (iv) the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses, 28 C.F.R. Part 58, Appendix A and Appendix B (the “Guidelines”); and (v) the United States Bankruptcy Court for the NDCA Guidelines for Compensation and Expense Reimbursement of Professionals and Trustees (the “NDCA Guidelines”);

- b. Review the Applications filed by each Applicant in this chapter 11 Case (along with the fee detail related thereto), and to the extent possible, the fee examiner shall avoid duplicative review;
- c. During the course of their review of an Application, consult, as they deem appropriate, with each Applicant concerning such Application;
- d. During the course of their review of an Application, review, to the extent appropriate, any relevant documents filed in this chapter 11 case to be generally familiar with this chapter 11 case and the associated public docket;
- e. Within thirty (30) days after an Applicant files an Application (or such greater time as the Applicant and fee examiner agree), serve an initial report (the “Initial Report”) on the Applicant designed to quantify and present factual data relevant to whether the requested fees, disbursements, and expenses are in compliance with the applicable standards of sections 328, 329, 330, and 331 of the Bankruptcy Code, Bankruptcy Rule 2016, and whether the Applicant (if required) has made a reasonable effort to comply with the United States Trustee’s requests for information and additional disclosures as set forth in the Guidelines and NDCA Guidelines;
- f. During the period between service of the Initial Report and filing of the Final Report (as defined below), engage in written communication with each Applicant, the objective of which is to resolve matters raised in the Initial Report and to endeavor to reach consensual resolution with each Applicant with respect to that Applicant’s requested fees and expenses, in furtherance of which the Examiner may also use the resolution process to revise findings contained in the Initial Report, and each Applicant may provide the fee examiner with written supplemental information that the Applicant believes is relevant to the Initial Report;
- g. Following communications between the fee examiner and the Applicant and the fee examiner’s review of any

1 supplemental information provided by such Applicant in
2 response to the Initial Report, conclude the informal
3 resolution period by filing with this Court a report with
4 respect to each Application (the "Final Report") within
5 twenty-one (21) days after the service of the Initial Report,
6 which shall be in a format designed to quantify and present
7 factual data relevant to whether the requested fees and
8 expenses of each Applicant are in compliance with the
9 applicable standards of section 330 of the Bankruptcy Code
10 and Bankruptcy Rule 2016, and whether the Applicant has
11 made a good faith reasonable effort to comply with the
12 Guidelines and the NDCA Guidelines; and

- 13 h. Serve each Final Report on counsel for the Debtor, counsel
14 for the Official Committee of Unsecured Creditors (the
15 "OCUC"), the United States Trustee, and each Applicant
16 whose fees and expenses are addressed in the Final Report.

17 **IT IS HEREBY FURTHER ORDERED** that the Fee Examiner may:

- 18 a. File comments on the public docket of the Court regarding
19 any Application by a Retained Professional;
20 b. Communicate their concerns regarding any Application to
21 the Retained Professionals to whom such Application
22 pertains, and to request further information as appropriate;
23 c. Request Retained Professionals to provide budgets, staffing
24 plans, or other information to the fee examiner;
25 d. Establish procedures for the resolution of disputes with
26 Retained Professionals;
27 e. Recommend procedures to facilitate the preparation and
28 review of Applications;
f. Appear and be heard on any matter before the Court;
g. File and litigate objections to the allowance of any
Application;
h. Take, defend, or appear in any appeal regarding any
Application;
i. Conduct discovery; and
j. Retain, subject to Court approval, professionals (including
attorneys and auditors) to represent or assist the fee examiner
in connection with any of the foregoing under standards
analogous to section 327 and to be compensated under
standards analogous to sections 330 and 331.

IT IS HEREBY FURTHER ORDERED that the Debtor, the OCUC, the United States

1 Trustee, and all Retained Professionals shall cooperate with the Fee Examiner in the discharge of
2 the Fee Examiner's duties and shall promptly respond to any reasonable requests for information
3 or communications from the Fee Examiner;

4 **IT IS HEREBY FURTHER ORDERED** that the Fee Examiner and any professionals
5 retained by the Fee Examiner shall be entitled to compensation from the estate for their reasonable
6 and necessary fees and expenses. Any such requests for compensation shall be made by application
7 to the Court and shall be allowed according to the same standards and procedures that apply to the
8 Retained Professionals, including the interim compensation order entered in this case on October
9 16, 2023 (*see* ECF No. 212);

11 **IT IS HEREBY FURTHER ORDERED** that the Fee Examiner is appointed as an
12 officer of the Court, and the Fee Examiner along with those employed or paid by him with
13 respect to this appointment, shall be given the maximum immunity permitted by law from civil
14 actions with respect to the performance of the duties set forth herein; and

16 **IT IS HEREBY FURTHER ORDERED** that in the event a chapter 11 trustee is
17 appointed in this case, such appointment will not terminate or otherwise modify the duties and
18 responsibilities of the Fee Examiner. Rather, the Fee Examiner's appointment shall only be
19 terminated or otherwise modified by entry of an order of the Court.

22 * * END OF ORDER * *

COURT MAILING LIST:

ECF Participants Only